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The former Yugoslav Republic of Macedonia

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Description of the methodology

1. The Report of the Republic of Macedonia under the Universal Periodic Review (UPR) has been drafted in accordance with the guidelines set forth in the Human Rights Council Resolution 5/1 of 18 June 2007 and the General guidelines on preparing reports under the UPR. Recommendations received in course of the review under the second UPR cycle have been taken into consideration in the drafting of this Report. The Republic of Macedonia submitted its II National Report under the UPR in October 2013, and presented it in the course of the 18th session of the UPR WG, on 30 January 2014. The HRC adopted the UPR Report at its session held in June 2014.

2. The said Report resulted in 104 recommendations, of which 98 have been fully accepted, 4 have been partially accepted and 2 recommendations on explicit reference to sexual orientation as grounds of discrimination have not been accepted.

3. The Expert Group of the IMHRB[1] has prepared the III UPR Report. The IMHRB is the national reporting mechanism also working on the implementation of recommendations of international human rights bodies. The IMHRB and its Expert Group have worked on the implementation of the recommendations resulting from the second review cycle. In November 2014, supported by the OHCHR, there was a workshop organized with representatives of independent human rights institutions and CSOs.

4. Initial informative consultations with civil society organizations were held in June 2018, and before the Report was submitted to the Government for endorsement, consultations were held with representatives of CSOs about the content of the Report.

I. Development of the normative and institutional framework for human rights promotion and protection

5. In the period following the second UPR cycle, the Republic of Macedonia went through a several-year political and institutional crisis, featured with serious challenges and ramifications in areas of human rights, the rule of law and democracy. With a view to overcoming such tense crisis and to accelerating reforms aimed at creating conditions for starting talks for accession to the EU[2] and NATO, the Government, formed on 1 June 2017, adopted a reform package called *Plan 3-6-9*, which identified urgent priority areas for undertaking action, and set forth reform activities in areas of the justice system, public administration, security and intelligence services, improving the media landscape, etc.

Legislative and strategic framework

6. Aiming at building an independent, impartial, professional and efficient justice system, the Government adopted a new Strategy for Reform of the Justice System covering the period from 2017 to 2022. The Strategy serves as a roadmap for pursuing reforms in the justice system, as well as for restoring public trust in the institutions, ensuring legal security, protection of individual rights and freedoms of citizens and creating a genuine perception of free judiciary. In this context, the following laws have been adopted: Law Abolishing the Law on the Council for the Establishment of Facts and Institution of Proceedings for Determining Disciplinary Responsibility of Judges; Law Amending the Law on the Judicial Council, in line with recommendations of international institutions, by which the competence for disciplinary proceedings has been again entrusted to the Judicial Council; Law Amending the Law on Courts; and the Law Amending the Law on the Protection of Whistleblowers, ensuring better and more efficient protection of whistleblowers.

7. The reforms of the security and intelligence services and of the communication surveillance system have also been based on a package of relevant laws. An Operative Technical Agency has been established in order to ensure an independent institution that would help overcome the deficiencies of the communication surveillance system.

8. A number of other strategies and national plans have been adopted or are being already implemented, such as the 2018-2020 Gender Equality NAP, the National Strategy on Equality and Non-Discrimination on Grounds of Ethnic Affiliation, Age, Mental or Physical Disability and Gender, 2016-2020 National Equality and Non-Discrimination Strategy, 2013-2020 Gender Equality Strategy and NAP, 2015-2020 NAP for the Implementation of the Law on the Protection against and Prevention of Discrimination, the implementation costs for which are covered under the state budget **(Recommendation No. 7).**

II. Implementation of recommendations under the second UPR cycle

International obligations[3]

9. Further efforts are made to harmonize the national normative and institutional framework with international human rights instruments. The Republic of Macedonia continues to closely cooperate with treaty bodies, established under various conventions of the UN or of the Council of Europe, while following and implementing their recommendations.

10. The Kampala Amendments to the Rome Statute were ratified on 1 March 2016[4]. In February 2014, the definition of aggression in Article 403-b of the Criminal Code was harmonized with the definition of aggression under the Kampala Amendments.

11. The CoE Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) was ratified on 30 December 2017. A NAP for its implementation was adopted in October 2018. It envisages adoption of a special Law against Gender-Based Violence.

12. As regards other human rights instruments, signed by the Republic of Macedonia and explicitly referred to in the UPR second cycle recommendations, possibilities are considered for their ratification, which also involves a detailed analysis of the relevant domestic legal framework.

Independent institutions[5]

13. In 2016, amendments were adopted to the Law on the Ombudsman with a view to this institution's fulfilling the criteria for status A national institution.

14. The said amendments were instrumental in achieving the following:

- The Law was harmonized with the Paris Principles by introducing promotion of human rights, pluralistic approach in the appointment to managerial offices in the institution and financial independence of the Office of the Ombudsman;
- The element of prevention, complementing the special protection of the rights of the child was included;
- The provisions of the Law were harmonized with the OP-CAT, which will enable further consolidation of the competences of the Ombudsman as the NPM;
- The obligation was introduced that the Annual Report of the Ombudsman contains recommendations for overcoming established deficiencies. Furthermore, the Assembly and the Government also have the responsibility to act upon the recommendations of the Ombudsman and to report about specific measures undertaken upon them;
- The Ombudsman's competence was expanded with the entrusted authority to file requests with the Standing Survey Committee for the Protection of Citizens' Rights and Freedoms at the Assembly of the Republic of Macedonia for examination of cases of violation of constitutional and legally prescribed rights and for undertaking

relevant measures. The Committee for the Protection of Human Rights and Freedoms now has the obligation to consider the requests of the Ombudsman for examination of cases of violation of constitutional and legally prescribed rights and then submit a report to the Assembly, which on its part has the duty of defining which pertinent measures are to be undertaken; and

- An additional mechanism was established, which enables implementation of measures proposed in the Ombudsman's special reports about obstacles to the proper functioning of the Ombudsman's Office and about the disregarding and non-implementation of the Ombudsman's requests, proposals, opinions, recommendations or guidelines.

15. The Assembly endorsed the general secondary legislation documents on the systematization of jobs at the Office of the Ombudsman on 11 July 2017. Hence, the Ministry of Finance approved funds for seven (7) new employments by the end of 2017. At the beginning of 2018, funds were approved for additional 3 new employments in 2018, i.e. funds for 10 new jobs at the Ombudsman's Office were approved.

16. Under the 2018 State Budget, the funds allocated for the functioning of the Ombudsman's Office were increased by 4.2%, compared to the funds allocated in 2017.

17. In 2017, the Ombudsman received an observer status at the Management Board of the EU Fundamental Rights Agency.

18. The Assembly procedure for the adoption of the new Law for the Prevention of and Protection against Discrimination has started. The Draft Law envisages professionalization of the Commission for the Protection against Discrimination, consolidating its functioning, establishment of professional services to assist the Commission. There are provisions for the financing of the work of the Commission, ensuring higher degree of its financial independence.

Rule of law and justice system reforms[6]

19. On 28 November 2017, the Government adopted the 2017-2022 Strategy for Reform of the Justice System, as well as an Action Plan for its implementation. The Strategy was drafted after a wide encompassing consultative process. It offers guidelines and defines activities aimed at improving the justice system by overcoming established deficiencies of normative and institutional character. The Strategy serves as a roadmap that the Government will follow in order that while exercising its competences in this area it ensures all preconditions required for an independent, impartial, efficient, quality and transparent justice system, which will protect individual rights and freedoms of citizens, while protecting the public interest, as well. In addition, the Strategy envisages the establishment of legal conditions and a climate required for genuine application of the principle of accountability in the work of the justice system institutions.

20. With a view to monitoring the implementation of the Strategy, a Council for Monitoring its Implementation was established, headed by the Prime Minister, and having on board representatives of all in-line justice system institutions, state bodies, academic community, which are all involved in the reform activities in this sector.

21. The Assembly of the Republic of Macedonia adopted the amendments to the Law on Courts and to the Law on the Judicial Council, which incorporate solutions for advancement of the independence of the judiciary. It is envisaged that the decisions for election of judges must contain reasoning and be made available to the public.

22. Furthermore, the Law on Courts redefines the grounds for dismissal and disciplinary sanctioning of judges, and introduces obligatory and regular supervision by the Ministry of Justice of the compulsory use by all courts of the AKMIS system[7]. The supervision is conducted by a professional supervisory committee at the Ministry of Justice. The Law on the Judicial Council redefines the system of assessment of the work of judges, focusing more on the quality of work, rather than on the quantity of cases, in line with the remarks of the EC. This Law envisages that those who are incumbent judges or public prosecutors at

the time of publication of the competition may not be elected for members of the Judicial Council from the ranks of members elected by the Assembly and from the ranks of judges and prosecutors elected upon the proposal by the President of the Republic of Macedonia.

23. In the context of transparency, there is a comprehensive system for publication of judgments on the internet. This process started with the full functioning of the new centralized internet portal www.sud.mk, which covers the Judicial Council and all 34 courts in the Republic of Macedonia.

24. The transparency of the judiciary will be further enhanced with the completion of the system of collection, processing and analysis of statistics about the wok of courts and public prosecutor's offices.

25. Another priority in attaining higher level of transparency is the design of a uniformed format of annual reports on the work of courts, of the Judicial Council and of the Supreme Court. The report format will also be made uniformed for the public prosecutor's offices, the Public Prosecutor's Office of the Republic of Macedonia and the Council of Public Prosecutors.

26. The Judicial-Media Council was established in September 2018 with a view to improving the communication between judges and journalists, i.e. with the public at large.

27. An important segment of the process of strengthening the independence of the judiciary is the manner of appointment of judges. The reforms in this area are aimed at setting forth new additional strict rules governing the consistent respect for the ranking lists prepared by the Academy for Training of Judges and Public Prosecutors. In the election, i.e. appointment of judges and prosecutors the timeline of submission of lists by the Academy will be fully respected. The existing discretionary right of the Judicial Council and of the Council of Public Prosecutors not to elect candidates from the lists of persons who have graduated from the Academy, will be limited by envisaging precise legal criteria for the adoption of such a decision.

28. Trainings offered by the Academy for Training of Judges and Public Prosecutors are very important in this context. In 2017, the Academy delivered 201 trainings for a total number of 4,564 participants. 26 trainings of these were for the professional services assisting judges and public prosecutors, and included 687 participants. As of May 2018, the Academy delivered a total number of 86 trainings, 10 of which were for the professional services assisting judges and public prosecutors.

29. The Judicial Council continually follows the work of courts on cases pending for more than 3 years. In January 2017, the backlog of cases was 10,019, while in December 2017 the backlog of cases was 3,865, which means that the backlog of cases has been reduced by 6,154 or by 61.42%.

30. The Judicial Council regularly processes statistics received from courts, using two indicators: the rate of closed cases and the time required for processing and closing the cases. At the beginning of 2017, courts had 123,205 pending cases, while in the course of the same year 482,500 cases were registered. Hence a total number of 605,705 cases were in the processing stage, of which 506,330 cases were closed. At the end of 2017, there were 99,375 still pending cases. The average rate of efficiency was 104.94%. The average period for closing a case was 71.64 days.

31. Mediation is an important element of the process of increasing the efficiency of the judiciary. Aiming at further enhancing mediation, efforts will be made to encourage public authorities to apply mediation mechanisms to settle their mutual disputes, while promoting the benefits deriving from settling cases in this way.

32. The Courts fully respect the rights of persons against who there are ongoing court cases. Some of the very specific court proceedings are also continually monitored both by international organizations and NGOs, and they have not expressed any remarks about any possible violation of certain rights of defendants in criminal court cases.

33. In the context of pre-trial detention, activities are pursued at several levels. First, comprehensive trainings are organized for judges and public prosecutors, with a particular emphasis on the ECHR case law. Second, there is a strong commitment to consistently

applying the relevant legal provisions in ordering pre-trial detention. At the normative level, there are amendments drafted to the Law on Criminal Procedure, which will further elaborate in greater detail the issue of pre-trial detention in order to avoid any possible abuses in its practical application.

Penitentiary system[8]

34. With the aim of introducing a more efficient system of management of prisons, under the project *Enhancing human rights protection for detained and sentenced persons*, draft legislative solutions were prepared focused on strengthening the criteria for appointment and professionalism of governors of prisons and educational-correctional facilities, as well as for employees of the Directorate for Execution of Sanctions. The draft legislative solutions will be incorporated in the new Law on Execution of Sanctions, the drafting of which is in its final stages.

35. Furthermore, in January 2018, there was 4-day training for the managerial staff of the Directorate for the Execution of Sanctions, prisons and educational-correctional facilities. The training was delivered by international consultants engaged by the CoE.

36. In pursuance with the strategic commitments of the Government, activities are undertaken at several levels to deal with the issue of overcrowded prisons: construction of new and expansion of existing prisons and educational-correctional facilities, as well as establishing a sustainable probation system for alternative measures to be served within the community.

37. The Project for reconstruction of prisons is implemented with the financial support of the CoE Development Bank.

38. Activities for the establishment of the probation service are envisaged under the Strategy for the Development of a Probation Service. The Strategy implementation activities are underway.

39. With a view to ensuring continual implementation of the National Strategy for Development of the Penitentiary System and of the Strategy for the Establishment of a Probation Service, under the 2014 IPA Action Programme, a Twinning Project for the Strengthening of the Penitentiary System and of the Probation Service was approved[9].

40. The Law on Amnesty was adopted in January 2018. The application of this Law has significantly reduced the rate of overcrowdedness in the Macedonian penitentiary system. The amnesty covered 2,136 convicted persons, of whom 576 convicted persons were fully pardoned, while 1,560 convicted person received 30% reduction of their sentence.

41. In the context of overcoming the problem of violence in prisons, under the Project *Enhancing human rights protection for detained and sentenced persons*, a specific programme for treatment of violent offenders was developed with the assistance of international consultants. Training of trainers for the implementation of this specific treatment programme was organized. 7 employees from the Resocialization Departments at prisons were trained as trainers for the programme of treatment of violent offenders. Cascade trainings for the rest of the prison staff covering 168 persons were organized[10].

42. There are intensive measures and activities undertaken to improve the access to health care in prisons, as well as activities for the practical application of the Law Amending the Law on the Execution of Sanctions, which envisages that health care workers in prisons will become part of the staff at public health care institutions providing primary health care in the area where respective prisons are located, i.e. they will be under the competences of such health care institutions. In April 2018, 3 health care workers from the Idrizovo Prison and 3 health care workers from the Skopje Prison become part of the public health care institutions. The transfer of other health care staff to public health care institutions is underway.

43. For the purpose of establishing an organised educational process at prisons and educational-correctional facilities, a Strategy for Organised Educational Process at Prisons and Educational-Correctional Facilities has been developed.

44. With regard to improving access to recreational activities, an assessment has first been carried out of the possibilities for organising sports and other leisure activities at each institution. Activities are currently being undertaken in accordance with the assessment.

45. Under the 2017 Annual Plan for Trainings of Employees at Prisons and Educational-Correctiona. Facilities,numerous training cycles were held at the Training Centre of the Directorate for Execution of Sanctions for prison and educational-correctional facility employees on different topics, including "International and national standards in the area of the execution of sanctions and human rights in prison conditions". The training covered a total of 221 persons, employees at Sectors for Resocialisation and members of prison police.

The Ohrid Framework Agreement[11]

46. One of the strategic priorities of the Government of the Republic of Macedonia is the full implementation of the Ohrid Framework Agreement and building a civil state and an ethnic cohesion on the principles of mutual tolerance and respect. The goal is to create a multicultural society with greater intercultural communication and build a spirit of respect and cultural pluralism. Measures are being taken to reduce ethnic, social and economic differences between the communities under projects with integration goals.

47. The Review of the Ohrid Framework Agreement has been completed and, as part of the second stage, the Analysis of Social Cohesion, i.e. of the implementation of the Framework Agreement, which has been performed upon a decision of the Government, has also been carried out. The process was managed by the Secretariat for the Implementation of the Framework Agreement, in cooperation with international institutions, state bodies and the NGO sector. Public debates have also been organised on all chapters of the analysis. Some of the conclusions have been transposed into draft laws, such as the Law on the Use of Languages, which promotes the use of the language that is spoken by over 20 % of citizens of the Republic of Macedonia and in the units of local self-government. The Law also envisages the formation of an Agency for the Application of the Language Spoken by at least 20 %of the citizens of the Republic of Macedonia and an Inspectorate for the Use of Languages[12].

48. One of the main priorities of the Government relating to the Ohrid Framework Agreement is its implementation in the educational system (see chapter "Education").

Roma[13]

49. The 2014-2020 Roma Strategy was adopted in 2014. The Strategy covers several priority areas, for which action plans were also devised: employment, education, housing, healthcare and strengthening the status of Roma women in society. Local coordinating bodies have been formed in 12 municipalities to carry out activities under the Roma Inclusion Strategy[14]. Local action plans have been prepared and finalised in 12 municipalities.

50. Concerning the activities to improve the social inclusion of the Roma, the implementation of numerous activities in all areas under the 2014-2020 Roma Strategy has continued.

51. The Ministry of Labour and Social Policy (MLSP), in cooperation with the Roma Education Fund (REF) has been implementing the project "Inclusion of Roma Children in Public Municipal Institutions – Kindergartens" for eleven years.

52. The total number of children enrolled in kindergartens in the school year 2017-2018 is 34,521, 718 or 2.07 % of who are Roma. The total number of children enrolled outside of the project (parents who personally cover the stay of children in kindergarten) is 204.

53. Under the project, 19 Roma childcare providers have been employed on a permanent basis and they are already part of the staff at the pre-school institutions.

54. At present, there are 12 Roma Information Centres (RICs) in 12 municipalities and 16 persons have been employed at the RICs.

55. The implementation of the ROMACTED programme[15] started in February 2018. The project is planned to be implemented in a period of 3 years. The official implementation of this project started on 19 March 2018, by signing a Memorandum of Cooperation between the MLSP, the CoE and 12 municipalities that will be included in the programme.

56. Since 2011, the Ministry of Health (MH) has implemented the project Roma Health Mediators (RHM). The goal of the project is to improve the health of the Roma and their access to healthcare by engaging RHM as a link in the system that will establish better communication between the Roma community and the health care system[16].

57. In compliance with the Law on Healthcare, the Government each year adopts an annual Programme for Active Healthcare of Mothers and Children[17]. Some of the specific objectives of the programme are:

- Raising the level of being informed and education of the population about healthy lifestyles and correct health behaviour in the preconception, antenatal, postnatal and breastfeeding periods, with a focus on the vulnerable groups of women (Roma women, women from rural areas and adolescents), and
- Improving the quality of and equality in access to healthcare services for mothers and children, with a special focus on the vulnerable groups of women.

58. Under the annual Programme for Participation When Using Healthcare for Certain Illnesses of Citizens and Healthcare of Parturient Women and Infants, funds are provided to cover the costs for pregnancy-related healthcare services for pregnant women at all levels of the health system. Under the same programme, parturient women are provided with free childbirth (non-operative and operative childbirth) at the birthing centres in the country.

59. The Programme for Early Detection of Malignant Diseases envisages activities for early detection and prevention of diseases of the reproductive organs in women (cervical cancer) and breast cancer opportunistic screening.

60. At the Public Health Centres there are sexual and reproductive health counselling centres, where any and all young persons may receive advices about reproductive health and contraceptives.

61. At the "I Want to Know" counselling centres in Suto Orizari, Skopje, opened in cooperation with the NGO "HERA", the young may receive advice on sexual and reproductive health, free contraceptives and free gynaecological examinations.

62. In the area of health, the Roma Strategy sets the following strategic goal: Increasing life expectancy among the Roma by 2020. The 2015-2020 Health Action Plan has also been prepared. It contains measures and activities aimed at improved access for the Roma to integrated, quality, preventive and curative health services, prevention of risks and illnesses related to the mortality rate among the Roma, preventing discrimination against the Roma in the access to health services.

63. Concerning the action to record the persons who have not been entered in the birth register, the Civil Registry, in coordination with the MLSP, published at the end of March 2018 a public call for registration of and collecting data about persons whose birth has not been recorded in the birth register or who do not possess a first birth certificate.

64. Mobile teams are being formed in 80 municipalities, composed of a representative of the respective regional unit of the Civil Registry, who acts as a coordinator of the mobile team, a representative of the Social Work Centre, a representative of the regional unit of the Ministry of the Interior (MoI) responsible for operative inspections and, in certain cities, of the visiting nurse service, the RHMs, the RICs and NGOs.

65. Upon recording all unidentified persons, a special register will be created of these persons, which will be followed by measures and activities for full resolution of this problem.

Refugees and migrants[18]

66. The Republic of Macedonia, especially in the period of the 2014-2015 migrant crisis, faced an increasing trend in the number of minors, some of whom were unaccompanied minors, i.e. foreign children who had been left without the presence of a parent, guardian or accompanying relative for different reasons. Taking into account the vulnerability of this category of persons, the Government adopted SOP for Unaccompanied Minors (Foreign Children) in November 2015 and SOP for Vulnerable Categories of Foreign Persons in 2016.

67. The Law on International and Temporary Protection defines the conditions and procedure for acquiring the right to international protection and the rights of asylum seekers and establishes the procedure for minors by differentiating between minors and unaccompanied minors.

68. The situation of the applications for asylum in the Republic of Macedonia submitted to the Asylum Sector is as follows:

- 2014: 213 minors claimed asylum, 99 of whom were unaccompanied minors. The status of a recognised refugee was granted to one minor.
- 2015: 424 minors claimed asylum, 116 of whom were unaccompanied minors. The status of a recognised refugee was granted to two persons.
- 2016: 194 minors claimed asylum, 37 of whom were unaccompanied minors. Five persons were granted asylum on grounds of subsidiary protection.
- 2017: 28 minors claimed asylum, 13 of whom were unaccompanied minors. Three persons were granted asylum on grounds of subsidiary protection.
- 2018: 21 minors have claimed asylum, none of whom have been unaccompanied minors.

69. When analysing the foregoing data, it should be taken into account that most of the persons who submitted applications for the status of refugee or for asylum in the Republic of Macedonia did not stay in its territory by the adoption of the final decision, i.e. they used that right for the purpose of easier transfer to some of Western European countries.

70. In April 2015, the Government adopted a decision to provide free healthcare services to migrants and the MH adopted an Action Plan for the Activities of the Health System in the Event of an Increased Number of Migrants. The specific objectives of the AP are protection of health of the population and the environment, implementing proper preventive measures to maintain a stable epidemiological situation and coordination of measures and activities with the Red Cross and the NGO sector.

71. The AP contains 4 scenarios, depending on the number of migrants and the time of their stay.

Non-discrimination/equal opportunities[19]

72. The new Law on the Prevention of and Protection against Discrimination is pending parliamentary procedure. The draft law envisages professionalisation of the Commission for Protection against Discrimination and strengthening its functioning, including by establishing a professional service, and also includes a provision on the manner of financing which will contribute to its greater financial independence. The draft law aligns the definitions of direct and indirect discrimination with international standards and expands the list of discriminatory grounds with the grounds of sexual orientation and gender identity.

73. Activities for ensuring equal treatment of men and women are implemented continuously in accordance with the applicable legal regulations and secondary legislation stemming from the Law on Equal Opportunities of Women and Men, which prohibits direct and indirect discrimination. Pursuant to the Law, coordinators and deputy coordinators for

equal opportunities of women and men have been assigned at all ministries from the ranks of the civil servants.[20]

74. In May 2018, the Government adopted the 2018-2020 National Gender Equality Action Plan, which sets the following strategic goals: establishing an effective and efficient system of attaining gender equality through functional support mechanisms at the national and local levels, harmonised indicators to measure the progress of gender equality and gender-segregated statistics; raising the level of gender equality in priority thematic areas and fostering/creating a culture of equal opportunities and promotion of equal treatment and non-discrimination on the ground of sex.

75. The Republic of Macedonia submitted the VI Periodic Report under the CEDAW in May 2017 and also delivered the responses to the additional questions that arose from the report in June 2018. The dialogue with the Committee was held on 1 November 2018.

Persons with disabilities[21]

76. The new National Coordination Body on the Implementation of the UN Convention on the Rights of Persons with Disabilities was formed in May 2018. The body is composed of 15 members, 11 of whom are from the relevant ministries, two from the Cabinet of the Prime Minister and two representatives of citizens' organisations of persons with disabilities. Furthermore, an initiative started in 2018 to establish a national mechanism for monitoring the implementation of the CRPD, which will operate as part of the Office of the Ombudsman. The body will be composed of three permanent employees at the Office and three representatives of the civil sector, who will be selected under a transparent public advertisement. The Ombudsman will devote special attention to including persons with disabilities among the members of the body. This initiative is expected to be finalised by the end of 2018, when the required legal framework is expected to be completed and the new monitoring body will become operational.

77. The revised 2018-2027 National Strategy for Deinstitutionalisation envisages transformation of the social protection institutions, development of services in the community, moving the beneficiaries to the community and preventing institutionalisation. The MLSP has made a public commitment that there will be no children (up to 18) accommodated at institutions by 2020 and to completing the transformation of the Demir Kapija Special Institute. To this end, efforts are intensified to protect the rights and interests of children with disabilities accommodated at social protection institutions by deinstitutionalising and involving them in communal and social life. For the purpose of deinstitutionalising the children with disabilities from the Public Institution Demir Kapija Special Institute, seven children with intellectual disabilities have been deinstitutionalised and accommodated in small group homes for organised assisted living in Negotino and in the village of Timjanik near Negotino.

78. According to the Laws on Primary and Secondary Education, the primary education of pupils with special educational needs is organised and provided in regular and special primary schools or in special classes at regular schools, whereas secondary education is organised and provided in regular and special secondary schools, in compliance with the curricula of the Bureau for Development of Education.

79. The amendments to the Law on Primary Education of 2017 envisage that schools have to set up an inclusive team for pupils with special educational needs at regular primary schools.[22]

80. Teaching and personal instructional assistants provide support to children with learning disabilities. During the 2017/2018 school year, a total of 140 assistants were employed in 18 municipalities from 1 October 2017 to 1 June 2018. Furthermore, there are 74 special educators at primary and 57 special educators at secondary schools.

81. Since 2012, the Ministry of Education and Science has granted 50 scholarships to students with special educational needs each year.

82. A Rulebook on the Number of Pupils with Special Educational Needs in a Class and the Manner of and Conditions for Enrolment of Pupils with Special Educational Needs in Primary Schools has been adopted[23]. Furthermore, funds are also earmarked and provided to the municipalities as block grants for children with special needs.

83. The new comprehensive 2018-2025 Education Strategy includes measures for improvement of inclusive education.

LGBT[24]

84. As stated above, the new Law on the Prevention of and Protection against Discrimination is pending parliamentary procedure. The draft law aligns the definitions of direct and indirect discrimination with international standards and expands the list of discriminatory grounds with the grounds of sexual orientation and gender identity.

85. In November 2015, the MoI signed a Memorandum of Cooperation with the Helsinki Committee for Human Rights – LGBTI Support Centre, which aimed to enable improvement of the cooperation on preventing and dealing with hate crime and hate speech on the grounds of sexual orientation and gender identity. The Memorandum defined the forms and manner of cooperation between the Ministry and the Helsinki Committee for Human Rights on preventing and dealing with hate crime and hate speech on grounds of sexual orientation and gender identity and sensitisation of police officers for working with LGBT persons.

86. An interparty parliamentary group of 13 MPs that will work on advancing the rights of LGBT persons was formed on 23 February 2018. The group will endeavour to advance the rights of LGBT persons using the available mechanisms of the Assembly of the Republic of Macedonia in order to build a society where sexual orientation and gender identity will not pose an obstacle to full enjoyment of human rights and freedoms.

87. An annual conference of the LGBTI Equal Rights Association for Western Balkans and Turkey was held in Skopje, from 3 to 6 October 2018. It was organised in cooperation with the MLSP and was supported by the Ministry of Foreign Affairs. As part of the event, a ministerial segment was also organised and attended by the ministers of the Region, who were hosted by the Minister of Labour and Social Policy of the Republic of Macedonia.

Violence against women and children[25]

88. The 2018-2023 Action Plan for Implementing the Istanbul Convention[26] envisages adopting a new law/amending the existing Law on the Prevention of and Protection Against Domestic Violence and the Criminal Code with a definition of gender-based violence and incrimination of all forms of gender-based violence, such as: physical violence; stalking; sexual harassment; sexual violence, including rape; forced marriage; female genital mutilation; and forced abortion and sterilisation.

89. 2014 saw the adoption of the first systemic Law on the Prevention of and Protection against Domestic Violence. In 2015, the Law was amended to include provisions relating to the possession and seizure of service firearms in domestic violence cases reported to social work centres.

90. With the support of UNICEF and the EC, as well as with the involvement of NGOs, the MLSP conducted a series of activities aimed at protecting children against violence and abuse. Furthermore, a comprehensive study was drafted on violence against children, aiming at identifying and evaluating the state response mechanisms for the prevention, identification, reporting, referral, and protection against violence against children within the child protection system, as well as at producing recommendations to strengthen the child protection system and improve the protection of child victims against all forms of violence. The recommendations as put forward in this study are taken into consideration in the process of creating policies and planning future activities in this area. A Comparative Analysis of legislation regulating the issue of protection of children against violence has also been prepared. Moreover, by increasing the capacity of institutions for monitoring the

situation regarding violence against children, a system for collecting data on this matter has also been developed.

91. As part of these activities, in 2017, Indicators for Monitoring the Situation of Child Victims were designed with a view to be used by the National Coordinative Body for the Protection of Children against Abuse and Neglect chaired by the Minister of Labour and Social Policy. The Indicators are aimed at devising a uniformed model and a procedure for collecting and analyzing statistics to monitor the situation of child victims. The data from all relevant institutions was collected and relevant reports were prepared, whereas the drafting of the final report establishing the situation based on the data collected is underway.[27]

92. Article 16 of the Law on Family limits the right to enter into marriage by defining the age for concluding a legally valid marriage. Persons under the age of 18 are not allowed to marry. The same provision provides for an exception whereby relevant courts may, in a non-contentious procedure, allow persons who have reached the age of 16 to marry if they determine that such persons have reached the physical and mental maturity required to exercise and assume marital rights and obligations and only after having previously obtained approval from a health care institution and after having ensured that those persons have received professional assistance and advice on the matter at a social work centre. In keeping with relevant procedures for issuing consent to minors for entering into marriage, courts are obligated to hear the minor filing the request marry, their parents, guardians, and the person they wish to marry.

93. Social work centres monitor situations in vulnerable families and undertake measures to prevent early marriages by educating and informing parents and minors, as well as by pointing out the consequences from entering into early marriages.

94. The MLSP further takes into consideration the guidelines of the Istanbul Convention, which requires states to undertake legislative and other measures to protect women and girls against all forms of violence and which specifically refer to forced and contractual marriages.

Trafficking in human beings[28]

95. At the beginning of 2017, the IV National Strategy for Combating Trafficking in Human Beings was adopted, coupled with a 2017-2020 Action Plan, setting forth measures for strengthening institutional capacities, adoption of relevant legislation, intensifying international cooperation, as well as promoting prevention among persons affected by these types of crime.

96. In 2017, with the assistance of international and civil society organizations, series of trainings, workshops and round tables were held dedicated to the issue of recognizing the phenomenon of "trafficking in human beings", the identification and protection of unaccompanied children-foreigners, and the protection of vulnerable categories of migrants.

97. In addition to trainings, risk analysis was also undertaken with the aim of raising the awareness and capacities of state actors and the civil society sector on topics related to migration, social inclusion, referral and protection.

98. In 2018, the focus was mainly placed on promoting and strengthening the national capacities for combating trafficking in human beings and smuggling of migrants. To that end, in January 2018, a National Unit for Combating Smuggling of Migrants and Human Trafficking was established. The National Unit is headed by a public prosecutor coming from the ranks of public prosecutors for prosecuting organized crime and corruption and is composed of employees of the MoI. It started officially operating in March 2018 and in a relatively short period it has succeeded in launching investigations into five cases of trafficking in human beings.

99. With a view to strengthening the capacities for identifying victims of trafficking, 2018 also saw the establishment of Mobile Teams for Identifying Vulnerable Categories including victims of trafficking in human beings.

100. In order to address the need for providing access to legal remedies to victims of trafficking in human beings, in 2014, the Program for Assistance and Support to Children Victims of Trafficking in Human Beings was revised.

101. In the period from September to November 2015, training was conducted for 17 lawyers and members of the legal profession, representatives of NGOs registered for providing free legal aid to victims of trafficking in human beings.

102. In keeping with the 2017 European Union/Council of Europe Horizontal Facility for the WB and Turkey[29], a project has been launched aimed at combating trafficking in human beings for purposes of labour exploitation. The project is focused on strengthening the capacities of labour inspectors, as well as other national actors involved in the fight against trafficking in human beings, especially children. A Manual on identifying victims of trafficking for purposes of labour exploitation has been prepared for labour inspectors outlining child-specific provisions, as well as indicators specific to children victims of trafficking for purposes of labour exploitation. Training of trainers has also been conducted by labour inspectors.

103. Article 418-d of the Criminal Code defines trafficking in children as a separate criminal offence. An amendment made to Article 418-d of the Criminal Code resulted in a minimum of 8 years of prison sentence for those established to have manipulated children into begging or exploiting children for purposes of unlawful activities. The same Article also prescribes a minimum of 10 years of prison sentence for perpetrators of the aforementioned crimes against children under the age of 14. Paragraph 4 has been added to Article 418-d introducing heavier penalties for those established to have been using sexual services of children under the age of 14, by increasing the duration of the prison sentence for perpetrators of the aforementioned offence to a minimum of 12 years.

104. The Subgroup for Combating Trafficking in Children continues to operate as part of the National Commission.[30] The activities of this body are focused on the prevention of trafficking in children and improvement of protection of children victims, as well as on coordinating cooperation among stakeholders. In the course of 2018, internal documents were prepared and amendments were made to the Rulebook on Norms and Standards on Space, Equipment, Professional Staff, and Funds necessary for establishing and putting into operation a social work facility, i.e. state shelter, to be titled Centre for Victims of Human Trafficking, which is to accommodate victims of sexual violence too.

105. Over the past period, special measures have been undertaken as part of the protection and reintegration process tailored to the age and needs of children victims of trafficking and taking into account the specific physical, psychological, and social effects suffered by such children as a result of abuse and exploitation. The Program for Assistance and Support in Resocialization of Children Victims of Trafficking in Human Beings, which is implemented by the MLSP and experts from social work centres in cooperation with NGOs has been revised. Furthermore, Indicators for Identifying Victims of Human Trafficking have been designed too. Specialized training was conducted for foster families with a view to upgrading state capacities for developing alternative forms of protection and providing resources for the care of children victims of trafficking in human beings, who have been identified, but have not been accommodated at the Centre for Victims of Human Trafficking and those who have been discharged from the Centre, as well as improving the capacities for assisting their integration into the community.[31]

106. In May 2015, the MLSP conducted a two-day training for prevention and protection of children for employees of 4 social protection institutions.[32]

107. In 2016, in cooperation with the OSCE Mission, the Sector for Equal Opportunities at the MLSP completed 2 trainings for 60 professionals, such as social workers at social work centres, volunteering social workers from the Vinojug and Tabanovce camps, as well as from the Reception Centre for Asylum Seekers. In addition to theoretical training, field training was also conducted on the practical application of the Indicators for Identifying Victims of Trafficking in Human Beings, with experts visiting the camps and discussing with women refugees with the aim of profiling victims of trafficking among refugees.

108. In terms of cooperating with neighbouring countries, the Republic of Macedonia has been participating in the implementation of several regional projects aimed at improving data exchange between relevant services, as well as at carrying out joint campaigns tasked with expanding cooperation in combating trafficking in human beings.[33]

Freedom of expression[34]

109. The unimpeded functioning of the media is of paramount importance to any democratic and free society, not only in terms of the openness and accessibility of state institutions, but also of having security in pursuing the journalist profession itself. Considering the climate and situation within the media prior to the culmination of the political crisis in the country, the past obstacles for the professional and unimpeded performance of journalistic work and the attacks against journalists, the incumbent Government is fully determined to completely eradicate these negative social occurrences. As regarding the attacks against journalists that occurred in previous years, the MoI has carried out an analysis aimed at precisely identifying how far investigations into these cases have progressed. The media community welcomed the first prison sentence rendered (6 months) in September 2018 by a first-instance court for an attack against a press crew that took place in February 2017, all with a view to ending the previous policy of impunity for attacks against journalists, deterring potential future perpetrators, as well as sending out a clear message that the system and institutions will not tolerate violence against journalists. Furthermore, at the end of last year, a Memorandum of Cooperation was also signed with the Association of Journalists of Macedonia to establish mutual cooperation in creating a protocol for reporting from high-risk events, whereas permanent communication has also been arranged between the MoI and the Association of Journalists of Macedonia to ensure that media workers are able to carry out their duties in a safe manner.

110. In order to ensure better protection against political pressure and unfounded civil litigation for defamation, adoption of amendments to the Law on Civil Liability for Defamation and Libel is foreseen.

111. The Government of the Republic of Macedonia proposes legislation aimed at promoting freedom of expression and of the media and fully supports self-regulation and pluralism in the media. At the same time, with a view to supporting freedom of expression, the Government issued an Official Statement that strongly encourages the application and adherence to the system of media self-regulation, thus giving a clear message that it fully respects the independence of the media and professionalism of journalists.

112. In order to create an environment conducive to independent operation of all media, at its session held on 22 August 2017, the Government abolished all government advertising, except on social media.

113. This decision eliminates the possibility for the Government to act as the dominant advertiser in the media, thereby eradicating the likelihood of it influencing editorial policies of the national public broadcaster, as well as of privately owned media outlets.

114. The Government is building partnership with both the media community and the civil society in order to ensure the necessary conditions for objective and impartial operation of all media. To that end, a wide consultative process with the media community and CSOs has been initiated in keeping with the Government Reform Plans on the contents of amendments planned to be made to the Laws on Audio and Audiovisual Media Services, on Free Access to Public Information, on the Media, as well as on designing a model for potentially offering support to printed media with a view to ensuring media pluralism.

115. The Government also put forward a bill to amend the Law on Audio and Audiovisual Media Services, which is currently in parliamentary procedure, while a public debate has also been held to discuss the Law on Media.

116. The proposed amendments to this Law are expected to ensure a transparent, independent, efficient, and accountable public broadcasting service, as well as a transparent, independent, efficient, and accountable regulatory body in the field of audio and audiovisual media services. The content and essence of the proposed amendments

incorporate the remarks made by journalist and media organizations and also include the key recommendations made by experts of the CoE and the OSCE regarding the reduction of political influence on the media, the public service, and the national media regulatory body.

117. The revised method of selecting members of the Council and the Director of the Agency for Audio and Audiovisual Media Services, as well as the director of the public broadcasting service provides the basic prerequisite for appointing professional staff, while eliminating the risk of conflict of interests and political influence.

118. When it comes to the Macedonian Radio and Television (MRTV), a solid legal framework will be put in place to ensure an independent editorial policy and a sustainable system of national budget funding for the public broadcasting company.

119. Political pluralism and prevention of hate speech in the media has been regulated by the introduction of a new commitment for the Council of the Agency, which may now impartially and unselectively exert penalties against all perpetrators of violations against media laws. In addition, the possibility for the Government being the dominant advertiser in the media has been eliminated, thus decreasing the likelihood of it influencing editorial policies of privately owned media outlets. The introduction of this new law also ensures that the remarks concerning the media listed in the *Priebe Report* (EU) have also been integrated in such a way that the media are being released from any form of political pressure by distancing them completely from party politics and influence, whereas it also ensures that the public broadcasting service is impartial and independent from political, commercial, and other influences and ideologies.

120. The remarks put forward in the EC Progress Report aimed at harmonizing the national legislation with the EU acquis have also been integrated into this new bill in the sense that the basic prerequisites for ensuring independence of the media regulating body have been put in place and the public has been provided access to objective reporting by the public broadcasting service. Moreover, the new law ensures independence of the editorial policy of the MRTV.

121. The observations contained in the OSCE/ODIHR Election Observation Mission's Report on the last presidential elections have also been integrated into this bill in the sense that members of the Council and the Director of the Agency for Audio and Audiovisual Media Services are required to have prior professional experience in working in the media. The Council of the Agency has been delegated competences to exact misdemeanour penalties for violations committed, all with a view to increasing the public trust in the media and the Agency.

122. Since the inauguration of the incumbent Government, transparency and accountability, as well as ensuring that journalists and media enjoy a safe and secure environment for performing their duties and obligations have been imperative to all institutions within the executive branch in the Republic of Macedonia. The Government has undertaken several measures aimed at facilitating media and journalists gaining access to information.[35]

123. The Government also organized a public debate on the potential need for amendments to the Law on Free Access to Public Information. Once the proposals were filed, a working group was established to deliberate upon the bill to amend this Law, composed of representatives of all relevant stakeholders, including representatives of media associations and of the civil society.

124. In support of freedom of expression, at its 26th session, the Government issued an official statement expressing its strong political will, as well as its support and that of all its institutions for the continuous application of the Code of Ethics in Media Reporting, as well as its strong encouragement for applying and adhering to the system for media self-regulation. In keeping with the commitments and principles upon which it grounds its entire work and operations, and being particularly aware of the importance of freedom of expression, the Government of the Republic of Macedonia has allowed civil society organizations working on media matters to dictate and design concrete mechanisms to be established in cases of violations of the aforementioned Code of Ethics.

Hate speech[36]

125. The amendments to the Criminal Code (Articles 319 and 394) entered into force in February 2014, expanding the grounds for prohibiting and penalizing hate speech and the dissemination of materials over the Internet that promote or encourage hatred, discrimination or violence against any individual or group. Occurrences of hate speech have particularly been pronounced on social networks.

126. Acting upon reports filed for criminal offences committed incorporating elements punishable under Article 394-d of the Criminal Code, which have been defined as "spreading racist and xenophobic material by means of a computer system", the Cyber crime Sector at the MoI carries out measures and activities aimed at obtaining relevant evidence necessary for pursuing criminal procedures, establishing the identities of perpetrators of criminal offences, and thereupon filing relevant submissions to competent prosecutor's offices. Over the last two years, the number of reports filed, and especially those relating to hate speech, which have been processed by this Sector has increased, with citizens being afforded the opportunity of reporting such crimes via the Sector's Red Button on-line application (in operation since 2015) and official e-mail address (cybercrime@moi.gov.mk), or in person at the Sector's premises.

127. In keeping with the Law on Audio and Audiovisual Media Services (Article 48 - special prohibitions on broadcasting content that, *inter alia*, incites or spreads discrimination, intolerance or hatred based on race, sex, religion or nationality), the Agency for Audio and Audiovisual Media Services is not authorized to exact sanctions or penalties. The Agency publicly condemns such occurrences and calls upon the Commission for Protection against Discrimination (competent for the implementation of the Law on the Prevention of and Protection against Discrimination) and the Public Prosecutor's Office (Criminal Code) to react in such cases.

128. Since the entry into force of the Law on Audio and Audiovisual Media Services (3 January 2014), the Agency has on several occasions established discriminatory speech being used in programs broadcast by different media outlets, having released to the public its written reports on the program supervision it had conducted and having informed in writing the aforementioned broadcasters of the violations they had been found to have had committed. The Agency also published the findings from these supervisions in the annual reports it has been submitting for its work to the Assembly of the Republic of Macedonia on regular basis.

129. Throughout this period, the Agency pursued educational activities, issued public reactions, organized public meetings regarding the principles and standards in reporting and avoiding hate speech, as well as debates, workshops and working meetings with broadcasters, and organized trainings for the employees of the Agency. The regulatory body reacted through press releases as well. Considering that the issue of protection of human rights is wide encompassing, the regulatory body addresses this issue also by pursuing activities for promoting media literacy in the country, then various measures for popularizing the right to have a correction of and reply to previously published articles in media outlets, and by implementing activities under the Programme for providing access to the media outlets to persons with sensory disabilities.

Education[37]

130. As part of the four-year (2017-2020) work programme of the Government and of the annual plans and work programmes of the Ministry of Education and Science, goals and activities are programmed to implement the following strategic documents:

- Strategy for Integrated Education;
- 2014-2020 Roma National Strategy; and
- 2018-2025 Education Strategy.

131. In context of the goals outlined in these programmes, annually activities are undertaken to expand the network of children's facilities, such as kindergartens/early childhood development centres in order to provide equal access to institutions for all children.

132. Investing in improving the quality of education is a continuous process that covers not only infrastructure interventions, but also interventions in the curricula and programmes, teaching materials, as well as investment in human capital, i.e., providing continuous training and professional development of the teaching and professional staff.

133. Activities related to the refurbishment and reconstruction of school buildings in primary and secondary education throughout the Republic of Macedonia, as well as investments in construction of new school facilities and gyms are underway.[38]

134. In accordance with the Nine-Grade Primary Education Concept and Curriculum, the instruction is provided in four languages of instruction (Macedonian, Albanian, Turkish, and Serbian); whereas communities that are not offered instruction in their mother tongue study it as an elective course such as Language and Culture of Bosniaks, Vlachs, and Roma, respectively. Elective courses are taught from the third to the ninth grade, with one or two lessons per week. The Bureau for Education Development has prepared the curricula for these elective courses; textbooks for use from the third to ninth grade for the elective courses l anguage and Culture of Bosniaks and Vlachs were prepared as well; textbooks for the elective course Language and Culture of the Roma are available for the third, fourth, and the fifth grade; as for the remaining grades the relevant state education institution published a public competition. After twelve years of experimental teaching in the Bosnian language, from this school year (2018/19) the Bosnian language became a formal language of instruction in regular classes from first grade in three primary schools, and from the 2019/20 school year there will be such instruction in other schools as well where there is interest and where conditions stipulated by the Law on Primary Education are met.

135. In order to ensure better access to education and implement the 2014-2020 Roma National Strategy, the Ministry of Education and Science and the Directorate for the Promotion and Development of Education in the Languages of Ethnic Communities (DPDELEC) offer the following measures implemented each school year:

- Engagement of Roma educational mediators in selected municipalities;
- Grant scholarships for Roma pupils; and
- Engaging tutors and mentors for Roma pupils;
- Grant scholarships for Roma university students.

136. Future priorities that need to be implemented starting from the 2019/2020 school year, involve enhancing the standards of primary and secondary education by providing appropriate measures for access to education for children who did not attend classes (older pupils whose age does not correspond to the grade they should attend, pupils coming from marginalized backgrounds, Roma pupils) and reduction of dropouts, delivery of the elective course in Language and Culture of Roma.

137. According to the data from the DPDELEC, the number of Roma children attending primary education has a positive progressive growth, not only in terms of enrolment in primary education, but also in terms of the number of Roma children who successfully complete this level of education. In the 2016/17 school year, 9,362 pupils attended the elementary education from the first to the ninth grade (out of which 4,559 were Roma schoolgirls). In the 2017/2018 school year, the figure increased to 9,679 pupils (out of which 4,668 were Roma schoolgirls).

138. In the 2016/17 school year, 2,041 pupils who declared themselves persons belonging to the Roma community attended classes in secondary education, from first to fourth year (of which 894 were Roma schoolgirls). In the 2017/18 school year, 1,560 pupils who declared themselves persons belonging to the Roma community attended classes in secondary education, from first to fourth year (of which 706 were Roma schoolgirls).

139. In order to reduce the number of Roma school drop-out girls, a joint initiative involving the MLSP, the Ministry of Education and Science, and the Ministry of Justice was launched to increase the awareness of the Roma female population about early marriages, as well as introducing training for teaching and professional staff in schools for early detection of signs of potential dropout. A set of legal measures to introduce protocols for protection and response to this phenomenon is also planned.

140. In order to strengthen and support the activities that contribute to the development and promotion of multiculturalism, interethnic integration and tolerance in education, amendments to the Laws on Primary Education and on Secondary Education were adopted; given the above, by means of creative programmes in this segment of the education process, all schools can apply with the Ministry of Education and Science to receive money for implementation of such activities in the amount of up to MKD 30,000.

141. In a qualitative sense, the programmes are expected to make the planned activities result in interaction of ethnically/linguistically mixed groups of participants and thus form balanced groups of participants according to their ethnicity, gender, and age. In this regard, since 2017 the Ministry of Education and Science has provided from its budget financial means for supporting schools to implement such activities that promote interethnic integration, tolerance, etc. 115 primary and 28 secondary schools used this opportunity in the last two years (2017 and 2018).

Other recommendations

142. **89:** Primary health care in the Republic of Macedonia is free of charge for all insured persons and is carried out through a personally selected physician, preventive teams at the health centres, ambulance service, medical house-call service, visiting-nurse service, and rural doctors. For persons without health insurance, the health care contribution funds are provided by the MH under a special annual programme. Thus, persons without health insurance can uninterruptedly use health care at all levels.

143. Additionally, children's health services are provided under several annual programmes:

- Programme for active health care for mothers and children (activities for promotion of quality and equality in access to health services for mothers and children, with special focus on vulnerable groups of women, as well as activities for timely detection of diseases in new-borns);
- Immunization programme;[39]
- Programme for co-financing the provision of medical treatment of certain diseases for citizens and health care for mothers and infants;[40]
- Programme for yearly medical check-up of pupils and university students [41].

144. **104:** In December 2017, a Regulation was adopted to amend the Regulation on limit values of levels of types of polluting substances in the ambient air and alert thresholds, deadlines for achieving limit values, margins of tolerance for limit values, target values, and long-term goals. It provides thresholds for alerting and information on suspended particles with a size of 10 micrometers (PM10) in order to have quick and effective response by the competent institutions when concentrations of PM10 are above the defined thresholds.

145. In 2017, the implementation of the Law on Control of Emissions of Volatile Organic Compounds in the Use of Gasoline continued.

146. In April 2017, the Government adopted the National Plan for reduction of emissions from large combustion plants in the energy sector, as revised in accordance with the comments by the Energy Community.

147. The National Ambient Air Protection Plan is implemented continually and regularly. The City of Skopje adopted Air Quality Plans and short-term action plans for

agglomeration of the Skopje region and the municipality of Tetovo, while the Municipality of Veles adopted the Ambient Air Quality Plan for its territory.

148. The Ministry of Environment and Physical Planning continuously maintains the State Ambient Air Quality Monitoring System, and additionally procured a mobile monitoring station and a vehicle for maintenance of the system.

149. The Ministry of Environment and Physical Planning actively reports about the state of air quality on this website http://air.moepp.gov.mk.

150. Regarding the protection against industrial pollution, a draft version of the Law on Industrial Emissions was prepared.

III. Priorities of the Republic of Macedonia for human rights promotion and protection

- Implementation of justice system reforms;
- Reforms in security services;
- Fighting corruption;
- Implementation of national strategies in the field of human rights;
- Promoting rights of vulnerable groups;
- Continuous harmonization of the national legislation with international human rights standards;
- Supporting the independence of national human rights institutions.

Notes

[1] IMHRB - Inter-Ministerial Human Rights Body.
[2] The Republic of Macedonia acquired the status of a country candidate for EU membership in 2005.
[3] Recommendations 1, 2, 3, 4, 5.
[4] They entered into force for the Republic of Macedonia on 1 March 2017.
[5] Recommendations 10,11,12,13,14.
[6] Recommendations 61, 62, 63, 64, 65, 66, 67, 68, 69, 70.
[7] Automated Court Case Management Information System.
[8] Recommendations 6, 48, 49, 50, 51.
[9] The Project started to be implemented in September 2018.
[10] Currently, there are activities for the assessment of this Programme at the Idrizovo Prison to examine whether the Programme, as conceptualized, produces the expected results.
[11] Recommendations 8, 9, 24, 35, 37.
[12] These institutions are to be established for the purpose of more efficient implementation of the Law.
[13] Recommendations 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 87, 90.
[14] These bodies are composed of representatives of the relevant institutions and municipalities at the local level.
[15] Promoting good governance and Roma empowerment at the local level, funded by the Council of Europe and the EC.
[16] The RHM contribute to facilitating the access to health care services, building the trust in the doctor-patient relationship and establishing habits of care for one's health and the health of others among the Roma population.
[17] The general goal of the Programme is continuous improvement of the health of children and women in reproductive period for the purpose of reducing infant and maternal mortality, with a special focus on the vulnerable groups of the population and by applying the principle of equal accessibility for all that need the service.
[18] Recommendations 102, 103.
[19] Recommendations 15, 16, 17, 20, 21, 22, 23, 36.
[20] The coordinators and deputy coordinators are responsible for mainstreaming the gender perspective at their respective ministry and for implementing the Gender Equality Strategy and all other strategic documents in the area of gender equality for which they develop operational plans and are obliged to

submit an annual report to the MLSP on the activities undertaken.

[21] Recommendations 87, 88, 100, 101.

[22] The team is to be composed of the school pedagogue, i.e. the school psychologist, the teacher of the pupil, the parent or guardian of the pupil, a special educator if there is one at the school and, if need be, the doctor of the pupil. In order to create better conditions and ensuring access for all children, especially children with disabilities and including them in school institutions, a process has started recently to employ professionals in order to put together the required professional teams (pedagogues, psychologists, special educators, speech therapists and social workers).

[23] This rulebook clearly specifies the number of pupils with special educational needs in the classes for children with special educational needs depending on the specific need and the number of pupils with special needs in regular classes at primary schools.

[24] Recommendations 38, 39, 40, 41, 42, 43, 44, 45, 46.

[25] Recommendations 52, 53, 54, 55, 56, 57.

[26] Convention on Preventing and Combating Violence against Women and Domestic Violence.

[27] In November and December 2017, four two-day Inter-ministerial Team Trainings (IMT) were conducted on procedures to be followed in protecting children against abuse and neglect in 4 cities across the country, while training on this matter has been planned to be conducted in additional 4 cities in the period ahead. In addition, a positive parenting campaign has been launched aimed at strengthening parental capacities for raising children.

[28] Recommendations 58, 59, 60.

[29] The goal of the HF is to support Southeast Europe and Turkey in aligning with European standards, as well as with the EU acquis as part of the accession process.

[30] The Subgroup is chaired by a representative of the National Referral Mechanism at the MLSP and is composed of representatives of the Unit for Combating Human Trafficking and Illegal Migration and the Sector for Border Affairs and Migration at the Ministry of the Interior, the US Embassy in Skopje, the ICMPD, the OSCE, the GIZ, UNICEF, IOM, Open Gate – La Strada Macedonia NGO, For a Happy Childhood NGO, Equal Access Citizen Initiative for Equal Opportunities NGO, as well as the Deputy Ombudsman who takes part as non-member/observer.

[31] The training was conducted in cooperation with the Public Social Work Institute and the civil society organization For a Happy Childhood, as well as with the support of the local office of the German Society for International Cooperation (GIZ). 9 caregivers from foster families from Skopje and Veles received training under these courses.

[32] 11 Oktomvri Children's Home in Skopje, the Ranka Milanovic Institute for the Care, Raising, and Education of Children and Youth in Skopje, the 25 May Public Institution for the Care for Children with Educational and Social Problems in Skopje and the SOS Children's Village.

[33] Protocols for Cooperation in Combating Human Trafficking were signed with Montenegro and the Republic of Kosovo. Macedonia hosted the Conference of National Coordinators for Combating Trafficking in Human Beings of the Southeast European Countries.

[34] Recommendations 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86.

[35] In June 2017, the process of information declassification was launched, whereby the cabinet ministers were given an obligation to declassify all information related to expenses incurred for official travel and representation by the Ministries themselves. Information adopted by the Government of the Republic of Macedonia of public interest, which relate to contracts for awarding government assistance concluded between the Government and foreign companies/investors has also been declassified. Furthermore, in September 2017, the Government of the Republic of Macedonia adopted a Decision amending the Decision Determining Fees to Compensate for Material Expenses Incurred by Information Holders for Reasons of Releasing Information. Under this Decision, applicants seeking to be provided with information of public interest may be given the information requested in an electronic format free of any charge. In addition, with a view to the media being provided free access to sources of information of special importance for investigative journalism, they have been allowed to use the services of the Central Registry and the Real Estate Cadastre Agency free of any charge as well. Moreover, the Commission for the Protection of the Right to Free Access to Public Information (KOMSPI) started regularly updating the Register of Holders of Information of Public Character. Finally, in the interest of facilitating access to information about Government activities, a Communications Sector has been established, whereas press briefings are also held by the Government Spokesperson on a weekly basis where journalists and media representatives are informed about the decisions adopted at each government session.

[36] Recommendations 18, 19.

[37] Recommendations 91, 92, 93, 94, 95, 96, 97, 98.

[38] In the last 11 years, more than 300 school buildings were reconstructed, while 5 new school buildings and 35 gyms were built as well.

[39] Vaccines are provided according to the immunization calendar for all children in the Republic of

Macedonia, with particular emphasis on achieving as much coverage as possible in the hard-to-reach populations in the rural areas, among the Roma population, and among people who frequently change their place of residence and stay (mobile groups).

[40] Provision is made to cover the cost of health services for pregnant women related to pregnancy, as well as for basic health services for mothers and infants up to 1 year of age: intrapartum protection of women who have just given birth (inoperative and operative delivery), specialist medical examination of infants, orthopaedic medical examination by echocardiogram of infants, and treatment of infants up to one year in hospital conditions.

[41] Activities for early detection of health-related, as well as the psychosocial, developmental, and behavioural risks in schoolchildren and youth, yearly medical check-up, and preventive dental care for pupils.

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Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1–2]

2. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged the State party to fully implement the relevant provisions that promoted access to and participation in cultural heritage and creative expressions and, as such, were conducive to implementing the right to take part in cultural life.[3]

3. The Committee on Economic, Social and Cultural Rights encouraged the State party to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.[4]

4. The Committee also encouraged the State party to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.[5]

5. The Committee on the Rights of Persons with Disabilities encouraged the State party to ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.[6]

III. National human rights framework[7]

6. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression recommended that the Law on Interception of Communications be

revised in order to ensure that it conformed to national and international norms protecting the rights to privacy and to freedom of expression.[8]

7. The Human Rights Committee welcomed the adoption by the State party of the Law on the Prevention of and Protection against Domestic Violence, in 2014,[9] as did the Committee on Economic, Social and Cultural Rights and the Committee against Torture.[10]

8. The Human Rights Committee recommended that the State party ensure that the draft amendments to the Law on the Ombudsman were in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), that it provide the Office of the Ombudsman with the human and financial resources necessary to ensure that it could effectively and independently implement its mandate, and intensify its efforts in responding diligently and promptly to the Ombudsman's recommendations.[11]

9. The Committee on Economic, Social and Cultural Rights urged the State party to withdraw the recent amendment to article 8 of the Law on Asylum and Temporary Protection and to ensure that refugees and persons under subsidiary protection did not have to wait for a disproportionate period of time before they were entitled to family reunification.[12]

10. The Committee recommended that the State party bring the Law on the Minimum Wage into line with the Covenant and the Minimum Wage Fixing Convention, 1970 (No. 131) of the International Labour Organization (ILO).[13]

11. The Committee also recommended that the State party review article 8 of the Law on Labour Relations with a view to bringing it fully into line with the Covenant.[14]

12. The Committee further recommended that the State party review the restrictive provisions of the Law on Termination of Pregnancy.[15]

13. The Committee also recommended that the State party strengthen the enforcement of the Law on Prevention of Corruption.[16]

14. The Committee against Torture recommended that the State party review its legislation to ensure it included a definition of torture in the Criminal Code that was in full conformity with the Convention, and that it ensure that article 142 of the Criminal Code provided for prosecution of those who attempted to commit torture, those who knowingly failed to report instances of torture and those who were complicit in torture.[17]

15. The Committee on the Elimination of Racial Discrimination recommended that the State party revise its Criminal Code to ensure that it contained a clear and comprehensive definition of racial discrimination that was fully consistent with article 1 of the Convention. It also recommended that measures be taken to include in its legislation all aspects of article 4 of the Convention, including provisions on the prohibition of organizations that promote or incite racial discrimination and participation in or assistance to such organizations.[18]

16. The Committee also recommended that the State party implement its new 2015–2025 Strategy on the Integration of Refugees and Foreign Nationals to enhance local integration programmes.[19]

17. The Committee further recommended that the State party allocate sufficient resources to implement the National Action Plan on Roma Women (2016–2020) and the grant scheme "Integration of Women from Ethnic Communities in the Labour Market".[20]

18. The Committee on the Rights of Persons with Disabilities recommended that the State party review and ensure the harmonization of its legislation and policies with the Convention, remove from its legislation, programmes, plans and policies derogatory terms relating to disability, and ensure respect for the dignity of all persons with disability.[21]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination[22]

19. The Special Rapporteur on the situation of human rights defenders expressed her concern regarding the physical and psychological integrity of those working and advocating for the rights of lesbian, gay, bisexual, transgender and intersex persons and working to promote equality and non-discrimination, particularly in exercising their right to freedom of opinion and expression and of peaceful assembly.[23]

20. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression was disturbed by reports of the emergence of expressions of hate and incitement to discrimination on the grounds of gender, nationality, religion and sexual orientation in the media and on the Internet. In particular, he noted a lack of attention paid to discrimination on the grounds of sexual orientation and gender identity.[24]

21. UNESCO welcomed the implementation of the National Strategy on Alleviating Poverty and Social Exclusion in the Republic of Macedonia (2010–2020), the National Strategy for the Development of Education (2005–2015) and the National Strategy for Equality and Non-discrimination (2012–2015), all aimed at making education more inclusive, particularly for students from minority groups.[25]

22. UNESCO noted that educational opportunities for all children, regardless of their economic or social background, were still an important issue. There were vast differences in attendance rates at all levels of education among students in urban and rural areas, and between those of richest and poorest students.[26]

23. The Human Rights Committee recommended that the State party amend its Law on the Prevention of and Protection against Discrimination with a view to explicitly prohibiting discrimination on the basis of sexual orientation and gender identity.[27]

24. The Committee on Economic, Social and Cultural Rights recommended that the State party revise the Law on Prevention of and Protection against Discrimination, in particular by improving the definition of discrimination in line with its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights. It also recommended that the State party expedite the adoption of the draft national strategy for equality and non-discrimination for 2016–2020.[28]

25. The Committee also recommended that the State party consider amending the Law on Free Legal Aid in order to ensure that all people, including disadvantaged and marginalized individuals, particularly women, Roma, people living in rural areas, migrants and asylum seekers, were able to claim their economic, social and cultural rights with professional assistance, and that it allocate sufficient resources to the legal aid programmes.[29]

26. The Committee further recommended that the State party intensify its efforts to fully implement the Law on Equal Opportunities of Women and Men and the National Strategy for Gender Equality 2013–2020.[30]

27. The Committee on the Rights of Persons with Disabilities recommended that the State party revise all legislation to incorporate all forms of discrimination on grounds of disability, including multiple and intersecting discrimination.[31]

28. The Committee also recommended that the State party revise the law on Protection of Children and the Law on Primary Education so that they expressly promoted inclusive education and included disability as a ground for discrimination.[32]

B. Civil and political rights

1. Right to life, liberty and security of person[33]

31. The Committee against Torture recommended that the State party take immediate action to put an end to ill-treatment in prisons, improve material conditions in detention facilities and enhance measures to reduce overcrowding.[34]

2. Administration of justice, including impunity, and the rule of law[35]

31. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression recommended that expenditure on advertising by State institutions, political parties and public enterprises be fully transparent to the public.[36]

32. The Human Rights Committee recommended that the State party strengthen its efforts to eliminate police brutality and the excessive use of force by law enforcement officials.[37]

32. The Committee also recommended that the State party strengthen its efforts to improve living conditions in detention facilities on a sustainable basis with regard to access to adequate health-care services and sanitary conditions, with a view to achieving full compliance with the requirements of article 10 of the Covenant.[38]

33. The Committee further recommended that the State party reinforce measures to guarantee and protect the full independence and impartiality of the judiciary by ensuring that judiciaries operate without pressure and interference from the executive power or other outside influences. It also recommended that the State party ensure the right to a fair trial without undue delay, in line with article 14 of the Covenant.[39]

34. The Committee on Economic, Social and Cultural rights recommended that the State party intensify its efforts to enforce the Law on Prevention of and Protection against Domestic Violence by ensuring that all reported cases of domestic violence were investigated promptly, impartially and effectively and that perpetrators were brought to justice, and that it provide adequate support to victims of domestic violence by increasing the number of shelters and allocating sufficient funding for legal aid, as well as physical and psychological treatment.[40]

35. The Committee also recommended that the State party take all necessary measures to combat corruption, including by improving public governance and ensuring transparency in the conduct of public affairs and raising awareness of public and government officials on anti-corruption measures, as well as about the unacceptability of bribery.[41]

36. The Committee against Torture recommended that the State party take measures to ensure prompt, thorough and impartial investigations into allegations of torture and ill-treatment by law enforcement officials leading to the prosecution and punishment of those responsible with penalties that were consistent with the gravity of the act committed.[42]

3. Fundamental freedoms and the right to participate in public and political life[43]

37. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression noted with appreciation that the national legal framework of the State party fully recognized the centrality of the protection of the right to freedom of opinion and expression.[44] He emphasized, however, that there was a concrete need for further improvement, particularly in the translation of national norms into reality.[45]

38. The Special Rapporteur recommended that the financial and administrative independence of the public broadcaster in the State party be enhanced.[46]

39. The Human Rights Committee recommended that the State party ensure the full enjoyment by all of the freedom of expression and association, and protect journalists and others who exercised these rights from harassment, intimidation and violence.[47]

40. The Committee also recommended that the State party effectively investigate all allegations of police violence against journalists and demonstrators in connection with the events of 5 May 2015. The State party should always attempt to resort to alternatives to

detention in cases involving individuals who did not present a risk to public safety, and consider the impact of implementing its criminal laws against demonstrators on its duty to facilitate the right of peaceful assembly.[48]

41. The Human Rights Committee further recommended that the State party ensure that voting rights were made accessible to all citizens, including persons with disabilities and persons deprived of their liberty. The State party should also take measures to rectify all administrative obstacles to ensure the equal and full voting rights of all citizens.[49]

42. The Committee on the Elimination of Racial Discrimination recommended that the State party fully respect the right to freedom of movement of its citizens and their right to leave and return to the country. The Committee recalled that States parties should take the steps necessary to prevent questioning, arrests and searches solely on the basis of an individual's ethnicity.[50]

43. The Committee also recommended that the State party continue to strengthen efforts to implement the principle of adequate and equitable representation, strive for the representation of smaller communities in managerial posts, and cooperate fully with the Ombudsman in monitoring the implementation of that principle.[51]

4. Prohibition of all forms of slavery

44. The Human Rights Committee recommended that the State party take measures to combat trafficking in persons, systematically and vigorously investigate and prosecute perpetrators and ensure that, when convicted, they are adequately sanctioned.[52]

5. Right to privacy and family life

45. The Human Rights Committee recommended that the State party take all measures necessary to ensure that its surveillance activities conformed to its obligations under the Covenant.[53]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work

46. The Committee on Economic, Social and Cultural Rights recommended that the State party intensify its efforts to upgrade the vocational skills of the workforce to meet the needs of the labour market; create decent job opportunities, including through the implementation of the Active Labour Market Programmes; and develop and implement special measures to promote the employment of youth, women, persons with disabilities and Roma, including through quota systems. It also recommended that the State party ensure that workers in the informal economy were protected under labour legislation and enjoyed their rights to fair and favourable conditions of work and to social security.[54]

47. The Committee also recommended that the State party immediately apply the same level of minimum wage across all sectors, including the textile, garment and leather industries. It further recommended that the State party increase the minimum wages and regularly adjust them to the cost of living so as to ensure an adequate standard of living for workers and their families.[55]

48. The Committee on the Rights of Persons with Disabilities recommended that the State party, in close collaboration with organizations of persons with disabilities, take effective and affirmative measures to ensure the employment of persons with disabilities in the public and private sectors, and ensure that the open labour market was inclusive and accessible, and that reasonable accommodation was available, and that the duty to provide reasonable accommodation was explicitly prescribed in legislation.[56]

2. Right to social security

49. The Committee on Economic, Social and Cultural rights recommended that the State party ensure that the most disadvantaged and marginalized individuals were fully protected under its social security system.[57]

50. The Committee on the Rights of Persons with Disabilities recommended that the State party repeal provisions restricting the eligibility of persons with disabilities to social benefits to a particular age range, allocate certain allowances and benefits to children with disabilities, and ensure the provision of equal material support for biological and foster families.[58]

3. Right to an adequate standard of living

51. The Committee on Economic, Social and Cultural Rights recommended that the State party intensify its efforts to combat poverty, including through the comprehensive analysis of the needs of the most disadvantaged and marginalized individuals and groups and the adoption of concrete and targeted measures to address them.[59]

52. The Committee also recommended that the State party take the steps necessary to protect the right to adequate food, including the adoption of a national strategy.[60]

53. The Committee further recommended that the State party take all the measures necessary to provide affordable social housing units for disadvantaged and marginalized individuals and families, including and especially Roma families, and to improve living conditions in informal settlements and collective centres.[61]

4. Right to health

54. The Committee on Economic, Social and Cultural Rights recommended that the State party intensify its efforts to ensure that primary health-care services were available and accessible to all, regardless of geographical location.[62]

55. The Committee also recommended that the State party take all measures necessary to increase the number of gynaecologists in the country and to ensure that all women had access to gynaecological health services within their municipality; make information on sexual and reproductive health available to the general public; improve school education on sexual and reproductive health that was up to date, age-appropriate and based on a human rights perspective; and ensure that modern contraception methods were affordable to all.[63]

56. The Committee on the Rights of Persons with Disabilities recommended that the State party remove age constraints from access to free health care and treatment, adopt a strategy to ensure free or affordable access for persons with disabilities to all required health services, and also adopt health protocols aimed at ensuring the right of persons with disabilities to free and informed consent to medical treatment. It also recommended that the State party take measures to ensure the availability and accessibility of health-care facilities and services for persons with disabilities, ensure the dissemination of information on sexual and reproductive rights in appropriate formats for all persons with disabilities, the availability of gender- and age-sensitive services, and also that of specialized services for persons with disabilities in all parts of the State party. It further recommended that the State party promptly adopt and implement a new action plan on improving health care for children with disabilities, and promote the availability and affordability of specialized health-care services related to disabilities.[64]

5. Right to education[65]

57. UNESCO recommended that the State party intensify further its effort to promote inclusive education and to improve the enrolment and retention of students from minority groups, Roma students in particular, and to ensure access to education for all children, specifically children without identity documents.[66]

58. The Committee on Economic, Social and Cultural Rights recommended that the State party take all measures necessary to address the overrepresentation of Roma children in special schools and special classes in mainstream schools, including a review of the classification criteria and the adoption of inclusive and integrated education programmes.[67]

59. The Committee on the Rights of Persons with Disabilities recommended that the State party immediately enact a plan of transition to ensure inclusive education for persons with disabilities at all levels, including in higher education institutions.[68]

D. Rights of specific persons or groups

1. Women

60. The Human Rights Committee recommended that the State party further strengthen its efforts to increase the participation of women in the political and public sectors, particularly in decision-making positions, and, if necessary, through appropriate temporary special measures to give full effect to the provisions of the Covenant.[69]

61. The Committee also recommended that the State party avoid pursuing any further campaigns used to stigmatize those who undergo abortions.[70]

62. The Committee on Economic, Social and Cultural Rights recommended that the State party set concrete targets and adopt a time frame for increasing women's labour participation and employment rates and develop employment programmes targeted at women, paying special attention to ethnic minorities.[71]

63. The Committee on the Rights of Persons with Disabilities recommended that the State party strengthen measures to address multiple and intersecting forms of discrimination against women and girls with disabilities.[72]

2. Children

64. The Human Rights Committee recommended that the State party take measures to eliminate all forms of institutional and de facto discrimination against children, particularly children who were members of minority communities and those held in correctional institutions.[73]

65. The Committee on the Elimination of Racial Discrimination recommended that the State party monitor and assess the situation, including by involving civil society organizations, with the aim of combating early marriage, and raise awareness among the population, in particular those communities concerned, on the negative impact of discrimination on girls' education, health and employment prospects.[74]

66. The Committee also recommended that the State party take measures to identify children whose births were not registered and who lacked identity documents, and continue to proceed with retroactive birth registration and issuance of documents, including, if possible, by simplifying the entire process.[75]

67. The Committee on the Rights of People with Disabilities recommended that the State party criminalize violence against children with disabilities, and that it mainstream the rights of children with disabilities into national policies, plans, programmes and compliance frameworks that applied to children and young people in general.[76]

3. Persons with disabilities[77]

68. The Committee on the Rights of Persons with Disabilities recommended that the State party review its legislation to provide for the mandatory application of accessibility standards in all areas, and for the strict application of sanctions to those who fail to apply them.[78]

69. The Committee also recommended that the State party revise its legislation, policies and guidelines to ensure that disaster risk reduction management and humanitarian aid were accessible and inclusive of persons with disability.[79]

70. The Committee further recommended that the State party take measures to review existing legislation and policies to incorporate remedies and sanctions that prevent, in both the public and the private spheres, all forms of violence against and abuse and ill-treatment of persons with disabilities, in particular women, girls and children with psychosocial or intellectual disabilities.[80]

71. The Committee on the Rights of Persons with Disabilities recommended that the State party provide adequate human, financial and technical resources for the full implementation of deinstitutionalization; allocate sufficient resources for the provision of personal assistance to ensure that services in the community were available, accessible,

affordable, accommodating and of high quality in order to enable persons with disabilities to exercise their right to live independently and be included in the community; adopt the measures necessary to ensure that persons with disabilities had a legal entitlement to a sufficient personal budget for independent living; and adopt measures to ensure the provision of personal assistance for persons with disabilities, regardless of age limitations.[81]

72. The Committee also recommended that the State party adopt measures to ensure the provision of mobility and assistive devices, including assistance technologies, at affordable costs for persons with disabilities.[82]

73. The Committee further recommended that the State party adopt concrete legal and implementation measures to standardize, recognize and use sign language as an official language to be taught in schools, develop a pool of qualified sign language interpreters, and teachers in tactile, Braille and Easy Read skills, and ensure that television stations provided news and programmes in accessible formats, especially persons who were deaf, deafblind or hard of hearing.[83]

74. The Committee recommended that the State party take measures to ensure that persons with disabilities were not discriminated against during legal and administrative proceedings concerning their sexual and reproductive rights, the right to create a family, and legal custody of their children.[84]

75. The Committee also recommended that the State party adopt the legislation necessary to define and ensure access to habilitation and rehabilitation services, ensuring that it was human rights-based and developed with the involvement of organizations of persons with disabilities.[85]

76. The Committee further recommended that the State party take steps to support and encourage the participation of persons with disabilities, including children, in cultural, recreational, leisure and sporting activities.[86]

4. Minorities and indigenous peoples

77. The Committee on the Elimination of Racial Discrimination encouraged the State party to conduct a census as soon as possible, or to collect updated data on the demographic composition of its population by other appropriate methods. The Committee would welcome in particular data specifying where each minority community was living amid which majority.[87]

78. The Human Rights Committee recommended that the State party take measures to increase participation of Roma in public life and decision-making processes.[88]

79. The Committee on Economic, Social and Cultural Rights recommended that the State party intensify its efforts to eradicate structural discrimination against Roma and to improve their socioeconomic status.[89]

80. The Committee against Torture recommended that the State party combat and prevent discriminatory police misconduct by ensuring that all alleged cases of excessive use of force by law enforcement officials against members of the Roma community were promptly and effectively recorded and investigated and, as appropriate, prosecuted and punished, ensuring that the victims were provided with an opportunity to seek redress, including as full a rehabilitation as possible.[90]

5. Migrants, refugees, asylum seekers and internally displaced persons[91]

81. The United Nations High Commissioner for Human Rights called upon the authorities of the former Yugoslav Republic of Macedonia to end their systematic policy of expulsion and detention of migrants.[92]

82. The High Commissioner called for urgent measures to help stranded migrants return to a normal life, including by creating avenues for gainful employment, and stressed the importance of offering displaced children proper education opportunities.[93]

83. The High Commissioner also called for asylum procedures to be strengthened, noting that of the approximately 600 people who had applied for asylum since 2015, only

five had been granted refugee status at first instance. He deplored the fact that possibilities for family reunification had also become extremely restrictive.[94]

84. The Human Rights Committee recommended that the State party ensure that detention of asylum seekers, irregular migrants and refugees was used only as a measure of last resort and for the shortest possible period of time, and that alternatives to detention were available in law and implemented in practice; end as a matter of urgency the detention of unaccompanied minors, except as a measure of last resort and for the shortest possible period of time; and strengthen its efforts to improve the living conditions in detention centres for migrants and asylum seekers by providing adequate health-care services and sanitary conditions. It also recommended that the State party take concrete measures to reduce overcrowding, including by using alternatives to detention, and respect the principle of non-refoulement by ensuring that asylum seekers were neither extradited, deported nor expelled to a country where there were substantial grounds for believing that there was a real risk of irreparable harm.[95]

6. Stateless persons

85. The Committee on Economic, Social and Cultural Rights recommended that the State party take all measures necessary to issue identity cards to all Roma and to address the situation of stateless persons in accordance with the requirements of the Convention relating to the Status of Stateless Persons of 1954.[96]

86. UNESCO noted that progress in identifying and issuing birth registration upon birth for children without identity documentation seemed slow. Access of children without identity documentation to education seemed to be restricted, especially in rural areas.[97]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for the former Yugoslav Republic of Macedonia will be available at www.ohchr.org/EN/Countries/ENACARegion/Pages/MKIndex.aspx.
[2] For relevant recommendations, see A/HRC/26/10, paras. 116.1–116.3, 116.26, 116.62, 117.1– 117.2, 117.5 and 119.1–119.2.
[3] UNESCO submission for the universal periodic review of the former Yugoslav Republic of Macedonia, para. 18.
[4] E/C.12/MKD/CO/2-4, para. 55.
[5] Ibid., para. 56.
[6] CRPD/C/MKD/CO/1, para. 52.
[7] For relevant recommendations, see A/HRC/26/10, paras. 101.1–101.5.
[8] A/HRC/26/30/Add.2, para. 92.
[9] CCPR/C/MKD/CO/3, para. 3.
[10] E/C.12/MKD/CO/2-4, para. 4 and CAT/C/MKD/CO/3, para. 5.
[11] CCPR/C/MKD/CO/3, para. 5.
[12] E/C.12/MKD/CO/2-4, para. 22.
[13] Ibid., para. 32.
[14] Ibid., para. 34.
[15] Ibid., para. 50.
[16] Ibid., para. 18 (b).
[17] CAT/C/MKD/CO/3, para. 15 (a)–(b).
[18] CERD/C/MKD/CO/8-10, para. 9 (a)–(b).
[19] Ibid., para. 13.
[20] Ibid., para. 19 (a).
[21] CRPD/C/MKD/CO/1, para. 6.
[22] For the relevant recommendations, see A/HRC/26/10 paras. 101.14–101.46.
[23] A/HRC/25/55/Add.3, para. 262.
[24] A/HRC/26/30/Add.2, para. 17.
[25] UNESCO submission, para. 10.
[26] Ibid., para. 13.
[27] CCPR/C/MKD/CO/3, para. 7.
[28] E/C.12/MKD/CO/2-4, para. 20 (a)–(b).
[29] Ibid., para. 14.

[30] Ibid., para. 28.
[31] CRPD/C/MKD/CO/1, para. 8 (a).
[32] Ibid., para. 40 (a).
[33] For relevant recommendations, see A/HRC/26/10, paras. 101.47–101.60.
[34] CAT/C/MKD/CO/3, para. 10 (a)–(c).
[35] For relevant recommendations, see A/HRC/26/10, paras. 101.61–101.70.
[36] A/HRC/26/30/Add.2, para. 90.
[37] CCPR/C/MKD/CO/3, para. 12.
[38] Ibid., para. 13.
[39] Ibid., para. 14 (a)–(c).
[40] E/C.12/MKD/CO/2-4, para. 40.
[41] Ibid., para. 18 (a).
[42] CAT/C/MKD/CO/3, para. 12 (a).
[43] For relevant recommendations, see A/HRC/26/10, paras. 101.71–101.86.
[44] A/HRC/26/30/Add.2, para. 12.
[45] Ibid., para. 13.
[46] Ibid., para. 89.
[47] CCPR/C/MKD/CO/3, para. 18.
[48] Ibid., para. 19.
[49] Ibid., para. 22.
[50] CERD/C/MKD/CO/8-10, para. 15.
[51] Ibid., para. 25.
[52] CCPR/C/MKD/CO/3, para. 15.
[53] Ibid., para. 23.
[54] E/C.12/MKD/CO/2-4, para. 30.
[55] Ibid., para. 32.
[56] CRPD/C/MKD/CO/1, para. 46 (b).
[57] E/C.12/MKD/CO/2-4, para. 38.
[58] CRPD/C/MKD/CO/1, para. 48 (b).
[59] E/C.12/MKD/CO/2-4, para. 42.
[60] Ibid., para. 44.
[61] Ibid., para. 46.
[62] Ibid., para. 48.
[63] Ibid., para. 50.
[64] CRPD/C/MKD/CO/1, para. 42 (b)–(h).
[65] For relevant recommendations, see A/HRC/26/10, paras. 101.100–101.101.
[66] UNESCO submission, para. 12.
[67] E/C.12/MKD/CO/2-4, para. 54.
[68] CRPD/C/MKD/CO/1, para. 40 (b).
[69] CCPR/C/MKD/CO/3, para. 9.
[70] Ibid., para. 11.
[71] See E/C.12/MKD/CO/2-4, para. 28.
[72] See CRPD/C/MKD/CO/1, para. 12.
[73] See CCPR/C/MKD/CO/3, para. 21.
[74] See CERD/C/MKD/CO/8-10, para. 19 (b).
[75] Ibid., para. 21 (c).
[76] See CRPD/C/MKD/CO/1, para. 14 (b) and (d).
[77] For relevant recommendations, see A/HRC/26/10, paras. 101.100–101.101.
[78] See CRPD/C/MKD/CO/1, para. 18 (a).
[79] Ibid., para. 20 (a).
[80] Ibid., para. 28 (a).
[81] Ibid., para. 32.
[82] Ibid., para. 34.
[83] Ibid., para. 36 (b).
[84] Ibid., para. 38 (b).
[85] Ibid., para. 44.
[86] Ibid, para. 52.
[87] See CERD/C/MKD/CO/8-10, para. 7.
[88] See CCPR/C/MKD/CO/3, para. 8.
[89] See E/C.12/MKD/CO/2-4, para. 24.
[90] See CAT/C/MKD/CO/3, para. 14 (a).
[91] For relevant recommendations, see A/HRC/26/10, paras. 101.102–101.103.
[92] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20567&LangID=E.

[93] Ibid.
[94] Ibid.
[95] See CCPR/C/MKD/CO/3, para. 17.
[96] See E/C.12/MKD/CO/2-4, para. 24.
[97] UNESCO submission, para. 12.

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Summary of Stakeholders' submissions on the former Yugoslav Republic of Macedonia*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 24 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations[2] and cooperation with international human rights mechanisms and bodies[3]

2. The Centre for Global Nonkilling (CGNK) urged the State party to swiftly ratify the Convention on the Prevention and Punishment of the Crime of Genocide.[4]

3. CGNK recommended that the State party ratify the International Convention for the Protection of All Persons from Enforced Disappearance and accept a country visit by the working group.[5]

4. JS4 recommended that the State party ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.[6]

5. The International Campaign to Abolish Nuclear Weapons (ICAN) recommended that the State party signs and ratifies the Treaty on the Prohibition of Nuclear Weapons as a matter of international urgency.[7]

6. JS2 recommended that the State party prioritise inviting the following UN Special Procedure mandate holders for official visits: Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the promotion and protection of the right to

* The present document was not edited before being sent to United Nations translation services.

freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association.[8]

7. JS3 recommended that the State party Accede to the 1961 UN Convention on the Reduction of Statelessness.[9]

8. The Council of Europe (CoE) urged the State party to ratify the UN Convention on the Non-applicability of Statutory Limitations to Crimes against Humanity and War Crimes.[10]

9. The Joint Representative Office to the United Nations Office in Geneva of Macedonian Non-Governmental Organisations Worldwide (Macedonian NGOs Worldwide) called for the establishment of a Fact Finding Mission by the United Nations Human Rights Council to establish whether the June 17 Agreement is in violation of the fundamental human rights of the Macedonians.[11]

10. Macedonian NGOs Worldwide called for the establishment of an Independent Commission of Inquiry by the United Nations to examine whether war crimes, crimes against humanity, aggression and genocide were perpetrated against the Macedonian minority in Greece between 1913 and today.[12]

B. National human rights framework[13]

11. JS1 recommended adopting and implementing implement the Action Plan for Sexual and Reproductive Health (2018-2022) in order to improve access to modern contraceptive methods, including by ensuring universal coverage by the state health insurance of all costs related to modern contraceptive methods for the prevention of unplanned pregnancies.[14]

12. JS2 recommended reforming defamation legislation, in conformity with article 19 of the International Covenant on Civil and Political Rights.[15]

13. JS2 recommended that the State party amend article 385 of the Criminal Code in order to guarantee fully the right to freedom of peaceful assembly.[16]

14. Helsinki Committee for Human Rights of the Republic of Macedonia (MHC) recommended that the State party introduce a Law on Social Housing.[17]

15. MHC recommended amending the Law on Social Protection (LSP), to redefine the existing definition of disability in accordance with the CRPD. Furthermore, the State party should amend the LSP in relation to the equalization of benefits granted to foster families with biological families.[18]

16. MHC recommended improving the Law on Health Insurance and the Law on Health Protection in order to allow persons with disabilities to use free primary, secondary and tertiary health protection in accordance with the need arising from the disability and regardless of the reason for the occurrence of the disability.[19]

17. JS3 recommended amending the Law on Records of Births, Deaths, and Marriages and address any legal gaps, in particular to guarantee universal, free and immediate birth registration for every child irrespective of the parents' status, documentation, insurance or whether the child was born in a medical institution, in accordance with CRC Article 7.[20]

18. The Macedonian Young Lawyers Association (MYLA) recommended that the Law on Foreigners and the Law on International and Temporary Protection should be amended and harmonized with the Constitution with respect of the competence of the body deciding on the deprivation of liberty. Additionally, an independent border monitoring system to be established and introduced in the new Law on Foreigners as written in the Return Directive.[21]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[22]

19. Roma Advocacy Network (RAN) recommended establishing a mechanism for identifying abuses of investigative powers by the prosecuting authorities against accused Roma.[23]

20. RAN recommended providing training for judicial authorities about the right to equality and prohibition of discrimination based on international human rights standards and the jurisprudence of the European Court of Human Rights.[24]

21. RAN recommended conducting research to systematically document all forms of discrimination against Roma children in education in order to develop appropriate measures to address it.[25]

22. JS4 recommended that the Law on Labour Relations needs further improvement concerning protection against discrimination of women on grounds of pregnancy, childbirth and parenthood.[26]

23. ADF International recommended that the regulatory and legal framework of the State party is adjusted in order to comply with international human rights law and standards to guarantee freedom of religion.[27] Furthermore, the State party should prevent any form of discrimination or undue obstacles in the registration of religious communities.[28]

24. ADF International recommended that the State party grant to non-registered religious groups the same rights in practice as those enjoyed by other groups and permit their peaceful activities free from government interference.[29]

25. MYLA noted that the 2017-2027 Integration Strategy for Refugees and Foreigners has not yet been adopted. MYLA highlighted that urgent measures are needed to counter xenophobia and address negative public attitudes towards migrants and refugees.[30]

26. CoE welcomed proposed amendments to the law against discrimination that would extend the list of grounds of discrimination to include sexual orientation and gender identity and strengthen the functioning of the Commission for the Protection against Discrimination.[31]

27. JS3 recommended guaranteeing access to fundamental rights for all Romani people on their territory, irrespective of documentation or citizenship status, including primary and secondary education, healthcare (including reproductive rights and maternity care for women), work, accommodation, and freedom from violations of rights such as child and early marriage.[32]

28. JS4 recommended establishing and/or utilizing already established unilateral and multilateral mechanisms for civic and human rights education for young people and employers in order to make them capable to recognize, avoid and/or report discrimination with focus on gender based discrimination.[33]

29. JS4 recommended that the State party amend the Constitution to be more sensitive towards the age as a ground for discrimination and setting the age as a ground on which the Constitutional Court offers protection against discrimination.[34]

2. Civil and political rights

Right to life, liberty and security of person[35]

30. Il Ponte di Pietra demanded the release of unlawfully detained prisoners and the end of political persecution.[36]

Administration of justice, including impunity, and the rule of law[37]

31. RAN recommended conducting effective and efficient investigations in cases of suspicion of excessive use of force or misuse of power of law enforcement authorities/organs of persecution.[38]

32. RAN recommended that State party improve inclusive access to justice, in particular by guaranteeing an efficient and free legal aid system. Additionally, the State party should provide free translation of the documents and free interpretation into Roma defendants' mother tongue in court proceedings.[39]

33. CoE urged the authorities to ensure accountability for serious crimes committed during the 2001 conflict.[40]

34. CoE welcomed progress towards the establishment of a Police Oversight Mechanism to safeguard against police violence.[41]

35. CoE stressed the importance of effectively investigating and prosecuting hate crimes, including against journalists and LGBTI people.[42]

36. The Office for Democratic Institutions and Human Rights/Organization for Security and Co-operation in Europe (OSCE-ODIHR) recommended that the SEC and MECs should make their regulations, guidelines, decisions and minutes of sessions public in a timely manner, in order to increase transparency and public confidence in their work.[43]

37. OSCE-ODIHR recommended that all instances and allegations of pressure, intimidation, vote-buying and misuse of administrative resources should be thoroughly and effectively investigated and prosecuted by authorities in a timely manner.[44]

38. The Association des parents d'elèves (APELM) called upon the Human Rights Council and all Member states to support new parliamentary elections in the former Yugoslav Republic of Macedonia.[45]

Fundamental freedoms and the right to participate in public and political life[46]

39. ADF International recommended that the State party ensure that religious leaders are able to exercise their right to freedom of expression without being subject to intimidation, reprisals or harassment.[47]

40. JS2 called upon the former Yugoslav Republic of Macedonia to take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit the right to association.[48]

41. JS2 recommended that the former Yugoslav Republic of Macedonia ensure that civil society activists, Human Rights Defenders and journalists are provided with a safe and secure environment in which to carry out their work. Furthermore, the State party should conduct impartial, thorough and effective investigations into all cases of attacks on and harassment and intimidation against them and bring the perpetrators of such offences to justice.[49]

42. JS2 recommended reviewing and, if necessary, updating existing human rights training for police and security forces, with the assistance of independent civil society organisations, to foster the more consistent application of international human rights standards.[50]

43. NGO Human Rights Protection (NGO "HRP") recommended that the State party stop the persecution of Orthodox Christians of the Ohrid Archbishopric. Additionally, NGO "HRP" urged the government to grant the Orthodox Ohrid Archbishopric full legal rights, so that it is on an equal footing with other denominations specified in the Constitution of Macedonia.[51]

44. NGO Public Advocacy (NPA) recommended eliminating unreasonable discriminatory interference of the state in the activities of religious organizations. Furthermore, NPA urged that State to take measures to eliminate the rhetoric of hatred in the media in relation to the Ohrid Archbishopric, especially from government officials.[52]

45. CoE observed that exit control measures involving ethnic profiling of Roma interfered with their freedom to leave a country and the right to seek asylum in other countries, and urged the authorities to immediately end this practice.[53]

46. CoE was concerned about allegations of mass unauthorised surveillance of journalists in the country. They called on authorities to restore a safe and serene climate for the media to work freely.[54]

47. OSCE/ODIHR recommended that the Electoral Code should be comprehensively reviewed to address identified shortcomings, gaps and ambiguities, including provisions for second round of elections, to bring it in line with OSCE commitments, international obligations and good practice.[55]

48. Macedonian NGOs Worldwide called for the immediate annulment of the June 17 Agreement, which denies Macedonians rights to self-determination and cultural rights.[56] This statement was echoed by Mladi za Makedonija (MZ).[57] The Association for Affirmation of the Macedonian Cultural-Historical Values and Heritage (NASHI) strongly opposed the agreement of June 17 as they feared it is erasing Macedonian history, identity and people.[58] Similarly, Makedonskiot Narod (NIE) regretted the Macedonian government signing international agreements with other countries to the detriment of the Macedonian people and its state.[59]

49. (PRERODBA) strongly disagreed with the proposed name change of the former Yugoslav Republic of Macedonia. They viewed it as a violation of their cultural rights and the right to self-determination.[60] The "Justicia" Association (Justicia) also expressed these comments.[61]

50. The World Macedonian Congress (WMC) urged the United Nations to reject the Agreement of June 17 and to extend membership to the state of Macedonia under its name the Republic of Macedonia.[62]

Prohibition of all forms of slavery

51. MYLA recommended that the State party improve the protection for the victims of human trafficking especially child trafficking. The skills of the border police in communication, interaction and treatment of migrants need to be upgraded.[63]

52. MYLA recommended that a new law on compensation for victims of criminal offences should be drafted and adopted into the Criminal Code, including non-punishment of trafficked persons for the offences they have committed in connection with, or as a result of, being trafficked.[64]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

53. JS4 recommended establishing a youth focused mechanism consisted of relevant governmental institutions and CSO representatives that will monitor and evaluate the level of implementation and promote the ratified documents concerning human and labour rights.[65]

54. JS4 recommended the Agency for Employment and the Ministry of Labour and Social Affairs should adjust the procedures for undocumented young people and facilitate their access to labour rights and social support mechanisms.[66]

55. JS4 recommended that the State party undertake concrete measures by the State in order to prevent the exploitation of volunteers.[67]

Right to health

56. JS1 recommended that the State party improve the quality of abortion care by introducing medical abortion.[68]

57. JS1 recommended taking systemic measures on improving the reproductive healthcare system on national level in order to eliminate widespread illegal charges for health services provided by the primary healthcare gynaecologists.[69]

58. JS1 recommended providing an effective mechanism in order to ensure the participation of civil society organizations and affected communities in the creation of the national preventive programmes in the field of health protection of mothers and children.[70]

59. JS1 recommended increasing the dynamic of the Ministry of Health working group for the abortion law review and urgently remove mandatory waiting periods, biased counselling and unnecessary administrative burdens from the Law on Termination of Pregnancy.[71]

60. MHC recommended establishing a Committee for Monitoring the Health of the Roma people.[72]

61. MHC recommended implementing balanced territorial distribution of gynecological practices and measures to encourage gynecologists to work in rural areas. Furthermore, the State party should employ mobile gynecological clinics that will visit the outermost rural areas and will provide consultations, examinations and services to as many rural women as possible. Additionally, the State party should place oral contraceptives for women and men on the positive list.[73]

62. The Association for Emancipation, Solidarity and Equality of Women (ESE) recommended introducing a system for health statistics disaggregated by ethnicity.[74]

63. ESE recommended enforcing the recommendations from the Joint MOH/WHO/UNICEF/UNFPA assessment mission on reversing neonatal mortality trends and improving pregnancy outcome and child health.[75]

Right to education

64. ADF International recommended that the State party respect the right guaranteed under international law of parents to raise and educate their children in accordance with their moral and religious convictions.[76] ADF International further highlighted the fact that the State has no legitimate authority under international law to mandatorily prescribe public education for all children, and that individuals have the right to seek alternative forms of education.[77]

65. MHC recommended expanding the access to preschool education by putting into use additional preschool facilities in Roma residential areas. Additionally, the State party should promote the inclusion of Roma in primary education and decrease the number of Roma pupils in special education.[78]

66. MHC recommended introducing changes to the curriculum in primary schools in order to implement courses and textbooks that will break gender stereotypes.[79]

67. MHC recommended implementing comprehensive sex education.[80]

68. MHC recommended opening institutions for preschool children in rural municipalities.[81]

69. ESE recommended introducing a system for comprehensive health education for young people, including the sexual and reproductive health, and special targeted measures for education of vulnerable groups.[82]

4. Rights of specific persons or groups

Women

70. MHC recommended establishing a functional system for coordination of Ministry of the Interior and the Commission on the Status of Women regarding reporting and treatment of cases of domestic violence in rural area, including consolidated statistics.[83]

71. ESE recommended increasing budget allocation for all preventive programs under the Ministry of health concerning health of women in order to ensure maximum coverage of the women with these programs.[84]

Children

72. JS4 recommended supporting and implementing Human Rights Based Approach when developing new programmes and policy that affects young people.[85]

Persons with disabilities[86]

73. MHC recommended the adoption of housing policies for citizens with physical disabilities which would ensure not only the house but also adequate housing conditions and accessibility as a prerequisite for social inclusion.[87]

74. MHC recommended securing unobstructed access and availability of all health facilities. Additionally, the State party should introduce an obligation to make medication instructions in Braille writing.[88]

75. MHC recommended providing sufficient budgetary resources to support the inclusion of students with disabilities in regular education. The State party should ensure full physical accessibility to school facilities in accordance with international standards, including internal premises and equipment with didactic and other necessary means, as well as materials for inclusive teaching. Textbooks and other educational materials should be provided in Braille system, in audio format and/or in accordance with web-accessibility standards.[89]

76. MHC recommended adopting a new law on the employment of persons with disabilities according to a "quota system" and "empty chair" system. The State party should raise awareness among employers of the appropriate workplace adjustments which will be subsidised by the State.[90]

77. CoE encouraged the authorities to increase their efforts to include children with disabilities in regular schools and regular classes.[91]

78. CoE welcomed the government's commitment to move forward with de-institutionalisation of persons with disabilities.[92]

Minorities and indigenous peoples

79. JS1 recommended increasing the number of patronage nurses at the national level over the mid and long term, particularly in rural areas and areas with predominantly Romani population.[93]

80. JS1 recommended taking measures to integrate Roma Health Mediators in the public health care system including their employment.[94]

81. MHC recommended that the State party "de-ghettoize" Roma residential areas, and invest in building residential buildings and access to social apartments for Roma people. Additionally, the State party should conduct regular numeration of houses and give the streets names in Roma residential areas.[95]

82. MHC recommended enhancing the access and quality of prenatal and antenatal healthcare in Roma residential areas. Additionally, MHC encouraged pro-activity of healthcare workers, especially family doctors and patronage nurses in their communication with the Roma population for the purpose of health education.[96]

83. JS3 recommended that the State party work with Romani communities to identify the needs, concerns and barriers they face, and support the co-development of action to tackle priority issues.[97]

84. ESE recommended conducting nationwide research in order to determine the root causes related to the poorer health outcomes of Roma in comparison to the majority of population. Furthermore, the State party should adopt mechanisms for strengthening the primary health care delivery in Roma communities, with main emphasis on Roma women, mothers and children.[98]

85. ESE recommended introducing mechanisms and procedure for regular monitoring and evaluation regarding the entire Strategy for Roma inclusion and specifically for the National Action Plan for Roma health.[99]

86. APELM demanded the unconditional and immediate recognition of the Macedonian minorities in the neighbouring countries of Bulgaria and Greece.[100]

87. Il Ponte di Pietra demanded a population census in accordance with European and International standards. They noted that the Albanian minority bases all its demands on its population size, which was never established by a regular census.[101]

Migrants, refugees, asylum seekers and internally displaced persons[102]

88. MYLA recommended the respect of international obligations and standards that are set with the ratified Conventions and harmonization of the European acquis with the Macedonian national legislation, in the area of the principle of non-refoulement, freedom of movement, the right to a fair trial and procedure and the right to a legal counsel.[103]

89. MHC noted that the right to seek asylum must be guaranteed to all refugees or migrants, without delay or conditioning. The State party should urgently stop the practice of illegal, group "deportation" of refugees and migrants to neighboring countries, without any official procedure or established cooperation with the cross border security forces.[104]

90. MHC recommended establishing a system of registration of all refugees and migrants transiting the country in order to increase the protection of their human rights. Refugees and migrants transiting the country must not be denied their freedom of movement and must not be unlawfully held in custody as witnesses in criminal procedures against smugglers. Police powers must be exercised in accordance with the law and inhuman or degrading treatment or torture must not be tolerated.[105]

91. CoE called on the authorities to deal more effectively with human rights violations at the borders, such as pushbacks and trafficking of migrants and asylum seekers.[106]

Stateless persons

92. JS3 recommended that the State party ensure that all international and regional obligations related to the right to nationality, prevention of statelessness, protection of stateless persons, non-discrimination, and birth registration are fully incorporated into national law and implemented in practice.[107]

93. JS3 recommended that the State party make available effective remedies for all those seeking to resolve their documentation status, including state-funded legal aid, the removal of barriers to accessing justice such as court fees or fees for DNA testing, judicial oversight, and robust complaints and compensation mechanisms.[108]

94. CoE called on the authorities to continue their efforts to resolve the problem of statelessness among the Roma community, which often originates from a lack of birth registration and the ensuing obstacles for obtaining identity documents.[109]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

ADF International	ADF International, Geneva (Switzerland);
APELM	Association des parents d'eleves, Villeneuve (Switzerland);
CGNK	Centre for Global Nonkilling, Hawaii (USA);
ESE	Association for Emancipation, Solidarity and Equality of Women, Skopje (the former Yugoslav Republic of Macedonia);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
IL PONTE DI PIETRA	Il Ponte di Pietra, Cannelli (Italy);
Justicia	"Justicia" Association, Skopje (the former Yugoslav Republic of Macedonia);

Macedonian	
NGOs Worldwide	Joint Representative Office to the United Nations Office in Geneva of Macedonian Non-Governmental Organisations Worldwide, Geneva (Switzerland);
MHC	Helsinki Committee for Human Rights of the Republic of Macedonia, Skopje (the former Yugoslav Republic of Macedonia);
MYLA	Macedonian Young Lawyers Association, Skopje (the former Yugoslav Republic of Macedonia);
MZ	Mladi za Makedonija, Gevgelija (the former Yugoslav Republic of Macedonia);
NASHI	Association for Affirmation of the Macedonian Cultural-Historical Values and Heritage, Skopje (the former Yugoslv Republic of Macedonia);
NIE	Makedonskiot Narod, Skopje (the former Yugoslv Republic of Macedonia);
NGO "HRP"	NGO Human Rights Protection, Vilnius (Lithuania);
NPA	NGO Public Advocacy, Kiev (Ukraine);
PRERODBA	Граѓанска иницијатива за здраво, достоинствено и возвишено живеење ПРЕРОДБА, Skopje (the former Yugoslav Republic of Macedonia);
RAN	Roma Advocacy Network, London (United Kingdom);
WMC	World Macedonian Congress, Skopje (the former Yugoslav Republic of Macedonia).

Joint submissions:

JS1	**Joint submission 1 submitted by**: Action Canada for Sexual Health and Rights, Ottawa (Canada);
JS2	**Joint submission 2 submitted by**: CIVICUS: World Alliance for Citizen Participation, Johannesburg (South Africa);
JS3	**Joint submission 3 submitted by**: Institution on Statelessness and Inclusion, Eindhoven (Netherlands);
JS4	**Joint submission 4 submitted by**: National Youth Council Macedonia, Skopje (the former Yugoslav Republic of Macedonia).

Regional intergovernmental organization(s):

CoE	The Council of Europe, Strasbourg (France);
OSCE-ODIHR	Office for Democratic Institutions and Human Rights/Organization for Security and Co-operation in Europe, Warsaw (Poland).

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] For relevant recommendations see A/HRC/26/10, paras. 116.1-116.3, 116.26, 116.62, 117.1-117.2, 117.5 and 119.1-119.2.
[4] CGNK, page. 4.
[5] CGNK, page. 5.
[6] JS4, para. 3.
[7] ICAN, para. 5.
[8] JS2, para. 6.5.
[9] JS3, para. 48 (xiii).
[10] CoE, page. 3.
[11] Macedonian NGOs Worldwide, page. 3.
[12] Macedonian NGOs Worldwide, page. 3.
[13] For relevant recommendations see A/HRC/26/10 paras. 101.1 to 101.5.
[14] JS1, page. 9.
[15] JS2, para. 6.3.
[16] JS2, para. 6.4.
[17] MHC, page. 3.
[18] MHC, page. 5.
[19] MHC, page. 6.
[20] JS3, para. 48 (vi).
[21] MYLA, paras. 26 (iii) & (viii).
[22] For relevant recommendations see A/HRC/26/10 paras. 10.14 to 101.46.
[23] RAN, page. 5.
[24] RAN, page. 6.
[25] RAN, page. 6.
[26] JS4, para. 24.
[27] ADF International, para. 21 (a).
[28] ADF International, para. 21 (b).
[29] ADF International, para. 21 (d).
[30] MYLA, para. 26 (xi).
[31] CoE, page. 4.
[32] JS3, para. 48 (iii).
[33] JS4, para. 11.
[34] JS4, para. 18.
[35] For relevant recommendations see A/HRC/26/10 paras. 101.47 to 101.60.
[36] Il Ponte di Pietra, page. 3.
[37] For relevant recommendations see A/HRC/26/10 paras. 101.61 to 101.70.
[38] RAN, page. 5.
[39] RAN, page. 5.
[40] CoE, page. 3.
[41] CoE, page. 4.
[42] CoE, page. 4.
[43] OSCE-ODIHR, page. 4.
[44] OSCE-ODIHR, page. 4.
[45] APELM, page. 1.
[46] For relevant recommendations see A/HRC/26/10 paras. 101.71 to 101.86.
[47] ADF International, para. 21 (c).
[48] JS2, para. 6.1.
[49] JS2, para. 6.2.
[50] JS2, para. 6.4.
[51] NGO "HRP", page. 4.
[52] NPA, page. pages. 4-5.
[53] CoE, page. 3.
[54] CoE, pages. 3-4.
[55] SCE-ODIHR, page. 3.
[56] Macedonian NGOs Worldwide, page. 3.
[57] MZ, page. 1.
[58] NASHI, page. 1.
[59] NIE, page. 1.

[60] PRERODBA, page. 4.
[61] Justicia, page. 2.
[62] WMC, page. 2.
[63] MYLA, para. 26 (vi).
[64] MYLA, para. 26 (vii).
[65] JS4, para. 6.
[66] JS4, para. 14.
[67] JS4, para. 44.
[68] JS1, page. 9.
[69] JS1, page. 9.
[70] JS1, page. 9.
[71] JS1, page. 9.
[72] MHC, page. 3.
[73] MHC, page. 7.
[74] ESE, para. 5.1.
[75] ESE, para. 5.11.
[76] ADF International, para. 21 (e)
[77] ADF International, para. 21 (f).
[78] MHC, page. 3.
[79] MHC, page. 7.
[80] MHC, page. 7.
[81] MHC, page. 7.
[82] ESE, para. 5.13.
[83] MHC, page. 7.
[84] ESE, para. 5.10.
[85] JS4, para. 12.
[86] For relevant recommendations see A/HRC/26/10 paras. 101.100 to 101.101.
[87] MHC, page. 5.
[88] MHC, page. 6.
[89] MHC, page. 6.
[90] MHC, page. 6.
[91] CoE, page. 4.
[92] CoE, page. 4.
[93] JS1, page. 9.
[94] JS1, page. 9.
[95] MHC, page. 3.
[96] MHC, page. 3.
[97] JS3, para. 48.
[98] ESE, paras. 5.2 & 5.6.
[99] ESE, para. 5.3.
[100] APELM, page. 1.
[101] Il Ponte di Pietra, page. 3.
[102] For relevant recommendations see A/HRC/26/10 paras. 101.102 to 101.103.
[103] MYLA, para. 26 (i).
[104] MHC, page. 8.
[105] MHC, page. 8.
[106] CoE, page. 4.
[107] JS3, para. 48 (i).
[108] JS3, para. 48 (viii).
[109] CoE, page. 3.